

---

## OTHER PRESIDENTIAL DOCUMENTS

---

	<i>Page</i>
Subchapter A—[Reserved]	
Subchapter B—Administrative Orders .....	255
Subchapter C—Reorganization Plans .....	[None]
Subchapter D—Designations .....	[None]
Appendix A—List of Messages to Congress Transmitting Budget Rescissions and Deferrals .....	329
Appendix B—List of Final Rule Documents .....	[None]

---

### Subchapter B—Administrative Orders

---

Notice of January 3, 1996

#### Continuation of Libyan Emergency

On January 7, 1986, by Executive Order No. 12543, President Reagan declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Libya. On January 8, 1986, by Executive Order No. 12544, the President took additional measures to block Libyan assets in the United States. The President has transmitted a notice continuing this emergency to the Congress and the Federal Register every year since 1986.

The crisis between the United States and Libya that led to the declaration of a national emergency on January 7, 1986, has not been resolved. The Government of Libya has continued its actions and policies in support of terrorism, despite the calls by the United Nations Security Council, in Resolutions 731 (1992), 748 (1992), and 883 (1993) that it demonstrate by concrete actions its renunciation of such terrorism. Such Libyan actions and policies pose a continuing unusual and extraordinary threat to the national security and vital foreign policy interests of the United States. For these reasons, the national emergency declared on January 7, 1986, and the measures adopted on January 7 and January 8, 1986, to deal with that emer-

### **Title 3—The President**

gency, must continue in effect beyond January 7, 1996. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Libya. This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*January 3, 1996.*

Presidential Determination No. 96-8 of January 4, 1996

### **Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization**

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Middle East Peace Facilitation Act of 1994, part E of title V, Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Public Law 103-236, as amended, ("the Act"), I hereby:

(1) certify that it is in the national interest to suspend application of the following provisions of law until March 31, 1996:

(A) Section 307 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2227), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(C) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2502); and

(D) Section 37, Bretton Woods Agreement Act (22 U.S.C. 286w), as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund.

(2) certify that the Palestine Liberation Organization continues to abide by the commitments described in section 583(b)(4) of the Act.

You are authorized and directed to transmit this determination to the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, January 4, 1996.*

## Other Presidential Documents

Notice of January 18, 1996

### Continuation of Emergency Regarding Terrorists Who Threaten To Disrupt The Middle East Peace Process

On January 23, 1995, by Executive Order No. 12947, I declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process. By Executive Order No. 12947 of January 23, 1995, I blocked the assets in the United States, or in the control of United States persons, of foreign terrorists who threaten to disrupt the Middle East peace process. I also prohibited transactions or dealings by United States persons in such property. Because terrorist activities continue to threaten the Middle East peace process and vital interests of the United States in the Middle East, the national emergency declared on January 23, 1995, and the measures that took effect on January 24, 1995, to deal with that emergency must continue in effect beyond January 23, 1996. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to foreign terrorists who threaten to disrupt the Middle East peace process.

This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*January 18, 1996.*

Presidential Determination No. 96-9 of January 22, 1996

### Presidential Determination on Food Security Wheat Reserve Release

#### *Memorandum for the Secretary of Agriculture*

By virtue of the authority vested in me as President by the Constitution and laws of the United States, including the Food Security Wheat Reserve Act of 1980 (the "Act") (7 U.S.C. 1736f-1) and section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of Agriculture the authority to release up to 1,500,000 metric tons of wheat from the reserve established under the Act (the "reserve"). Wheat released from the reserve will be used to provide, on a sale or donation basis, emergency food assistance to developing countries during fiscal year 1996 under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691, 1701 *et seq.*) to the extent that the Secretary of Agriculture determines that the domestic supply of wheat is so limited that quantities of wheat could not otherwise be made available for disposition consistent with the criteria set forth in the Agricultural Trade Development and Assistance Act of 1954, except for urgent humanitarian purposes.

### **Title 3—The President**

Nothing in the delegation should be interpreted as affecting the coordination requirements of Executive Order 12752.

You are authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, January 22, 1996.*

Memorandum of February 5, 1996

#### **Delegation of Authority Regarding Provision on Haiti Under the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, as Enacted by the Balanced Budget Downpayment Act, I (P.L. 104–99)**

##### *Memorandum for the Secretary of State*

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of State the functions vested in me under section 586 of the Foreign Operations, Export Financing and Related Programs Appropriations Act, 1996 as enacted by the Balanced Budget Downpayment Act, I, title III, section 301 (Public Law 104–99).

Any reference in this memorandum to any Act shall be deemed to be a reference to such Act as amended from time to time.

The functions delegated by this memorandum may be redelegated within the Department of State, as appropriate.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, February 5, 1996.*

Presidential Determination No. 96–10 of February 23, 1996

#### **Eligibility of Bosnia and Herzegovina To Be Furnished Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, I hereby find that the furnishing of defense articles and services to the Government of Bosnia and Herzegovina will strengthen the security of the United States and promote world peace.

### Other Presidential Documents

You are authorized and directed to report this finding to the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, February 23, 1996.*

Presidential Determination No. 96-11 of February 23, 1996

### Presidential Determination on Military Drawdown for Jordan

#### *Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by the laws and Constitution of the United States, including section 572 of the Foreign Operations, Export Financing and Related Programs Appropriations Act, 1996 (Public Law 104-107) (the "Act"), and section 301 of title 3 of the United States Code, I hereby:

(1) direct the drawdown for Jordan for the purpose of part II of the Foreign Assistance Act of 1961, of up to \$100 million in defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training;

(2) delegate the functions vested in me pursuant to section 572(a) of the Act to the Secretary of Defense, who is authorized to redelegate those functions consistent with applicable law.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, February 23, 1996.*

Order of February 27, 1996

### Further Designation Under Executive Order No. 12958

Pursuant to the provisions of section 1.4 of Executive Order No. 12958 of April 17, 1995, entitled "Classified National Security Information," I hereby designate the following additional officials to classify information originally as "Top Secret":

The Chair, Commission on the Roles and Capabilities of the United States Intelligence Community

The Director, National Counterintelligence Center

The Chair of the Commission on the Roles and Capabilities of the United States Intelligence Community, shall exercise the authority to classify information originally as "Top Secret" during the existence of the Commission

### **Title 3—The President**

and for such time afterwards as may be necessary to complete the Commission's administrative affairs.

The authority of the Director of the National Counterintelligence Center to classify information originally as "Top Secret" is limited to those circumstances in which the original classification of information is necessary in order for the Center to fulfill its mission and functions.

Any delegation of this authority shall be in accordance with section 1.4(c) of Executive Order No. 12958.

This order shall be published in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*February 27, 1996.*

Presidential Determination No. 96-12 of February 28, 1996

#### **Presidential Determination on the Proposed Agreement for Cooperation Between the United States of America and the Argentine Republic Concerning Peaceful Uses of Nuclear Energy**

##### *Memorandum for the Secretary of State [and] the Secretary of Energy*

I have considered the proposed Agreement for Cooperation Between the United States of America and the Argentine Republic Concerning Peaceful Uses of Nuclear Energy, along with the views, recommendations, and statements of the interested agencies.

I have determined that the performance of the agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123 b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153 (b)), I hereby approve the proposed agreement and authorize you to arrange for its execution.

The Secretary of State is authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, February 28, 1996.*

## Other Presidential Documents

Memorandum of February 29, 1996

### Delegation of Responsibility for Consultations and Submission of a Written Policy Justification Under Section 604(b)(1) and Section 604(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996

#### *Memorandum for the Secretary of State*

By the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of State the functions vested in the President by section 604(b)(1) and 604(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104-107).

Any reference in this memorandum to provisions of any Act related to the subject of this memorandum shall be deemed to include references to any hereafter-enacted provision of law that is the same or substantially the same as such provisions.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, February 29, 1996.*

Presidential Determination No. 96-13 of March 1, 1996

### Certification for Major Narcotics Producing and Transit Countries

#### *Memorandum for the Secretary of State*

By virtue of the authority vested in me by section 490(b)(1)(A) of the Foreign Assistance Act of 1961, as amended, ("the Act"), I hereby determine and certify that the following major drug producing and/or major drug transit countries/territories have cooperated fully with the United States, or taken adequate steps on their own, to achieve full compliance with the goals and objectives of the 1988 United Nations Convention Against Illicit Traffic in Narcotics Drugs and Psychotropic Substances:

The Bahamas, Belize, Bolivia, Brazil, Cambodia, China, Dominican Republic, Ecuador, Guatemala, Haiti, Hong Kong, India, Jamaica, Laos, Malaysia, Mexico, Panama, Peru, Taiwan, Thailand, Venezuela, and Vietnam.

By virtue of the authority vested in me by section 490(b)(1)(B) of the Act, I hereby determine that it is in the vital national interests of the United States to certify the following countries:

Lebanon, Pakistan, and Paraguay.

### **Title 3—The President**

Information on these countries, as required under section 490(b)(3) of the Act, is attached.

I have determined that the following major producing and/or major transit countries do not meet the standards set forth in section 490(b).

Afghanistan, Burma, Colombia, Iran, Nigeria, and Syria.

I have made these determinations, taking into account the factors set forth in section 490 of the Act and based on the information contained in the International Narcotics Control Strategy Report of 1996. Because the performance of these countries varies, I have attached an explanatory statement in each case.

You are hereby authorized and directed to report this determination to the Congress immediately and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, March 1, 1996.*

Presidential Determination No. 96-14 of March 1, 1996

#### **Assistance Program for the New Independent States of the Former Soviet Union**

##### *Memorandum for the Secretary of State*

Pursuant to subsection (d) under the heading “Assistance for the New Independent States of the Former Soviet Union” in title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104-107), I hereby determine that it is in the national security interest of the United States to make available funds appropriated under that heading without regard to the restriction in that subsection.

You are authorized and directed to notify the Congress of this determination and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE  
*Washington, March 1, 1996.*

Presidential Determination No. 96-15 of March 7, 1996

#### **Presidential Determination on Renewal of Trade Agreement With the Republic of Belarus**

##### *Memorandum for the United States Trade Representative*

Pursuant to my authority under subsection 405(b)(1)(B) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)(B)), I have determined that actual or foreseeable reductions in U.S. tariffs and nontariff barriers to trade resulting from multilateral negotiations are satisfactorily reciprocated by the Republic of Belarus.



### Other Presidential Documents

You are authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, March 7, 1996.*

Presidential Determination No. 96-16 of March 7, 1996

### Presidential Determination on Renewal of Trade Agreement With the Republic of Kazakhstan

#### *Memorandum for the United States Trade Representative*

Pursuant to my authority under subsection 405(b)(1)(B) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)(B)), I have determined that actual or foreseeable reductions in U.S. tariffs and nontariff barriers to trade resulting from multilateral negotiations are satisfactory reciprocated by the Republic of Kazakhstan.

You are authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, March 7, 1996.*

Presidential Determination No. 96-17 of March 7, 1996

### Drawdown of Commodities and Services From the Departments of Defense, the Treasury, Transportation, and Justice and Drawdown of Defense Articles, Defense Services, and Training From the Department of Defense for Israel

#### *Memorandum for the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, [and] the Secretary of Transportation*

Pursuant to the authority vested in me by section 552(c)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2348a(c)(2) (the "Act"), I hereby determine that:

(1) as a result of an unforeseen emergency, the provision of assistance under Chapter 6 of Part II of the Act in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States; and

(2) such unforeseen emergency requires the immediate provision of assistance under Chapter 6 of Part II of the Act.

Pursuant to the authority vested in me by section 506(a)(1) of the Act, 22 U.S.C. 2318(a)(1) (the "Act"), I hereby determine that:

### **Title 3—The President**

(1) an unforeseen emergency exists that requires immediate military assistance to a foreign country or international organization; and

(2) the emergency requirement cannot be met under the authority of the Arms Export Control Act or any other law except section 506 of the Act.

I therefore direct the drawdown of commodities and services from the inventory and resources of the Departments of the Treasury, Transportation, Defense, and Justice of an aggregate value not to exceed \$12 million and authorize the furnishing of up to \$10 million in defense articles, defense services, and military education and training from the Department of Defense for detecting and disarming explosive devices.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, March 7, 1996.*

#### **Justification for Drawdown Under Sections 552(c)(2) and 506(a)(1) of the Foreign Assistance Act To Support the Provision of Emergency Anti-Terrorism Assistance to the Government of Israel**

The State of Israel has been struck by four massive suicide bombing attacks during the past week. These attacks have resulted in heavy loss of life and property and threaten further progress in the Middle East peace process. Such an outcome would severely damage a major historic initiative that is a top U.S. foreign policy priority.

Israel has requested assistance to obtain explosive detection and disarming equipment for use at Gaza and other border crossings and to protect transport and infrastructure. We have determined that the most effective way to respond to this request is to provide to Israel equipment and supplies to help counter this terrorist threat, along with associated transport. The equipment and supplies are mostly made by U.S. suppliers. Training and services on the use of the equipment as well as assistance in assembling it will also be provided as needed. This assistance will be used by Israeli security forces to detect and disarm explosive devices.

For this purpose the President intends to exercise the special drawdown authorities in section 552(c)(2) and section 506(a)(1) of the Foreign Assistance Act of 1961, as amended. Such assistance will help the Israeli government combat an immediate and deadly terrorist threat aimed at undermining the security of Israel and subverting the Middle East peace process.

For these reasons, the use of the emergency authorities discussed above to provide the goods and services described above is important to the national interests of the United States.

## Other Presidential Documents

Notice of March 8, 1996

### Continuation of Iran Emergency

On March 15, 1995, by Executive Order No. 12957, I declared a national emergency with respect to Iran pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), to deal with the threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Government of Iran, including its support for international terrorism, efforts to undermine the Middle East peace process, and acquisition of weapons of mass destruction and the means to deliver them. On May 6, 1995, I issued Executive Order No. 12959 imposing more comprehensive sanctions to further respond to this threat.

Because the actions and policies of the Government of Iran continue to threaten the national security, foreign policy, and economy of the United States, the national emergency declared on March 15, 1995, must continue in effect beyond March 15, 1996. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iran. Because the emergency declared by Executive Order No. 12957 constitutes an emergency separate from that declared on November 14, 1979, by Executive Order No. 12170, this renewal is distinct from the emergency renewal of November 1995. This Notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*March 8, 1996.*

Presidential Determination No. 96–18 of March 8, 1996

### Eligibility of Slovenia and the Former Yugoslav Republic of Macedonia To Be Furnished Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, I hereby find that the furnishing of defense articles and services to the Governments of Slovenia and the Former Yugoslav Republic of Macedonia will strengthen the security of the United States and promote world peace.

### **Title 3—The President**

You are authorized and directed to report this finding to the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, March 8, 1996.*

Presidential Determination No. 96-19 of March 19, 1996

#### **Determination Pursuant to Section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104-107)**

##### *Memorandum for the Secretary of State*

Pursuant to section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104-107), I hereby certify that withholding from international financial institutions and other international organizations and programs funds appropriated or otherwise made available pursuant to that Act is contrary to the national interest.

You are authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, March 19, 1996.*

Memorandum of April 1, 1996

#### **Delegation of Responsibilities Under Section 1208 of Title XII of Public Law 104-106**

##### *Memorandum for the Secretary of State [and] the Secretary of Defense*

By the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of Title 3 of the United States Code, I hereby delegate to the Secretary of State the authorities and duties vested in the President under Section 1208 of Title XII of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106), to be exercised in consultation with the Secretary of Defense.

Any reference in this memorandum to any Act or delegation of authority shall be deemed to be a reference to such Act or delegation of authority as amended from time to time.

The functions delegated by this memorandum may be redelegated within the Department of State, as appropriate.

### Other Presidential Documents

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 1, 1996.*

Presidential Determination No. 96-20 of April 1, 1996

### Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Middle East Peace Facilitation Act of 1995, title VI, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, Public Law 104-107, ("the Act"), I hereby:

(1) Certify that it is in the national interest to suspend the application of the following provisions of law until June 15, 1996:

(A) Section 307 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2227), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(C) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 5202); and

(D) Section 37, Bretton Woods Agreement Act (22 U.S.C. 286w), as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund.

(2) certify that the Palestine Liberation Organization, the Palestinian Authority, and successor entities are abiding by the commitments described in section 604(b)(4) of the Act.

(3) certify that funds provided pursuant to the exercise of this authority and the authorities under section 583(a) of Public Law 103-236 and section 3(a) of Public Law 102-125 have been used for the purposes for which they were intended.

You are authorized and directed to transmit this determination to the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 1, 1996.*

### **Title 3—The President**

Presidential Determination No. 96-21 of April 4, 1996

#### **Determination Under the Heading “International Organizations and Programs” in Title IV of the Foreign Operations Appropriations Act for FY 1996: U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO)**

##### *Memorandum for the Secretary of State*

Pursuant to the requirements set forth under the heading “International Organizations and Programs” in Title IV of the Foreign Operations Appropriations Act, 1996 (Public Law 104-107), I determine and certify that:

(a) in accordance with Section 1 of the Agreed Framework, KEDO has designated a Republic of Korea company, corporation or entity for the purpose of negotiating a prime contract to carry out construction of the light water reactors provided for in the Agreed Framework;

(b) the Democratic People’s Republic of Korea (DPRK) is maintaining the freeze on its nuclear facilities as required in the Agreed Framework; and

(c) the United States is taking steps to assure that progress is made on (1) the North-South dialogue, including efforts to reduce barriers to trade and investment, such as removing restrictions on travel, telecommunications services and financial transactions; and (2) implementation of the January 1, 1992, Joint Declaration on the Denuclearization of the Korean Peninsula.

You are authorized and directed to report these determinations and certifications to the Congress and to publish them in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 4, 1996.*

##### **Memorandum of Justification for Determinations and Certifications Under the Heading “International Organizations and Programs” in Title IV of the Foreign Operations Appropriations Act, 1996 in Connection With the U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO)**

Pursuant to the requirements set forth under the heading “International Organizations and Programs” in Title IV of the Foreign Operations Appropriations Act, 1996 (P.L. 104-107), I have determined that:

(a) in accordance with Section 1 of the Agreed Framework, KEDO has designated a Republic of Korea company, corporation or entity for the purpose of negotiating a prime contract to carry out construction of the light water reactors provided for in the Agreed Framework; and

(b) the Democratic People’s Republic of Korea (DPRK) is maintaining the freeze on its nuclear facilities as required in the Agreed Framework; and

### Other Presidential Documents

(c) the United States is taking steps to assure that progress is made on (1) the North South dialogue, including efforts to reduce barriers to trade and investment, such as removing restrictions on travel, telecommunications services and financial transactions; and (2) implementation of the January 1, 1992, Joint Declaration on the Denuclearization of the Korean Peninsula.

The justification for these determinations is set forth below.

#### *(a)—Designation of ROK Company*

In section I of the Agreed Framework between the United States of America and the Democratic People's Republic of Korea (DPRK), signed in Geneva on October 21, 1994, the two parties stated that they would cooperate in replacing the DPRK's graphite-moderated reactors and related facilities with light-water reactor (LWR) power plants. The U.S. further stated that it would undertake to make arrangements for the provision of the LWR project to the DPRK, including organizing under its leadership an international consortium to finance and supply the project. This organization, the Korean Peninsula Energy Development Organization (KEDO), was created on March 9, 1995, by agreement of the U.S., Japan, and the ROK. These parties have agreed that the ROK will assume the central role in financing and building the LWR project.

On June 13, 1995, in Kuala Lumpur, the United States and the DPRK issued a joint statement providing that KEDO will select both the LWR reactor model and the prime contractor to carry out the project. (These points were confirmed in the LWR supply agreement between KEDO and the DPRK, signed December 15, 1995 in New York City.) On the same date as the Kuala Lumpur statement (June 13, 1995), the KEDO Executive Board decided by Board resolution that an ROK reactor model (Ulchin  $\frac{3}{4}$ ) would be built in the DPRK by an ROK firm. The Executive Board resolution designated the Korean Electric Power Corporation (KEPCO) as the firm with which KEDO would begin negotiating a prime contract for the light-water reactor project. These negotiations are under way.

#### *(b)—DPRK Maintenance of the Freeze*

Section I(3) of the U.S.-DPRK Agreed Framework provides for the immediate freeze and eventual dismantlement of all graphite-moderated reactors and related facilities in the DPRK. Within this context, the DPRK agreed to implement the freeze on its nuclear facilities within one month after the signing of the Agreed Framework and to allow the International Atomic Energy Agency (IAEA) to monitor the freeze on its facilities, with the full cooperation of the DPRK. In addition, the U.S. and DPRK agreed to cooperate in finding a method to store safely the spent fuel from the DPRK's 5 MW(e) experimental reactor during the construction of the LWR project, and to dispose of the fuel in a safe manner that does not involve reprocessing in the DPRK.

Since November 1994, all of North Korea's graphite-moderated nuclear facilities have been frozen. Specifically, this means no refueling or operation of the 5MW research reactor; no construction on the 50 and 200 MW reactors; no reprocessing and sealing of the reprocessing facility; no operation of the fuel fabrication plant; and no construction of new graphite-moderated reactors or related facilities. The IAEA has maintained a continuous presence at the Nyongbyon nuclear facility and has continued with inspection activities related to verifying and monitoring the freeze in the

### **Title 3—The President**

DPRK according to the terms of the Agreed Framework. In addition to IAEA monitoring activities, the United States continues to monitor the freeze through National Technical Means.

With the successful conclusion of the December 15, 1995 agreement on the supply of light-water reactors (LWRs) to the DPRK, signed between the DPRK and KEDO in New York City, the IAEA will resume ad hoc and routine inspections under the DPRK's safeguards agreement with the IAEA with respect to the facilities not subject to the freeze. The IAEA and DPRK meet periodically to discuss any outstanding safeguards issues that arise, most recently on January 22, 1996. During this meeting, both sides agreed to measures for safely storing the DPRK's spent nuclear fuel from its 5 MW(e) research reactor. When the first LWR unit is completed, the IAEA will have oversight over the dismantlement of the DPRK's nuclear facilities which will be completed when the second LWR unit is completed.

In January 1995, the U.S. and DPRK agreed on the method for safely storing the DPRK's spent nuclear fuel as an interim step before it is shipped out of the DPRK, as defined in the Agreed Framework. U.S. technical experts have been in the DPRK since July 1995 preparing the fuel for canning in a cooperative joint effort with the DPRK. Actual canning is expected to commence soon and will last approximately three months.

#### *(c)—North-South Dialogue and the Joint Declaration*

The U.S.-DPRK Agreed Framework provides that "the DPRK will engage in North-South dialogue." Since then, the U.S. has taken steps to support South Korean initiatives toward the North and to encourage the DPRK to fulfill its commitment to engage in dialogue as soon as possible. In all of our bilateral contacts with the DPRK, the U.S. has made clear that improvement in North-South relations is the key to peace and security on the Korean peninsula, and a requirement if U.S.-DPRK bilateral relations are to continue to move forward. Ambassador Robert L. Gallucci, during his tenure as Chairman of the Senior Steering Committee on Korea, had frequent occasion to raise the issue of North-South relations in his correspondence with his North Korean counterpart, First Vice Minister of Foreign Affairs Kang Sok Ju. Deputy Assistant Secretary of State Thomas Hubbard raised the North-South issue repeatedly during the May-June 1995 negotiations with the North Koreans in Kuala Lumpur on the LWR supply agreement. Most recently, Mr. Hubbard raised this issue when he met with North Korean Ambassador-at-Large Ho Jung in December 1995. Finally, working level officials have repeatedly stressed to their North Korean counterparts the importance of the DPRK improving relations with the South. Over the last year, these points have been made at all three rounds of U.S.-DPRK negotiations on the opening of liaison offices, and repeatedly in contacts with officials of the DPRK Mission to the UN.

In support of ROK initiatives, we have conveyed South Korean positions—and U.S. support for those positions—to the DPRK and others. At South Korea's request we have raised several particular issues with the DPRK, sometimes with positive effect. The South Korean government has expressed its appreciation for these U.S. efforts. During this period North and South Korea held a series of bilateral meetings in Beijing that produced an agreement whereby the South provided 150,000 tons of rice to the North as a grant. In December 1995, the DPRK released the crew of a South Ko-



### Other Presidential Documents

rean fishing vessel which strayed into North Korean waters earlier in the year, a step which the ROK had been urging the DPRK to take.

On January 1, 1992, the Republic of Korea and the Democratic People's Republic of Korea issued the Joint Declaration of the Denuclearization of the Korean Peninsula. The provisions of the Joint Declaration state that the North and South:

- shall not test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons;

- shall use nuclear energy solely for peaceful purposes;

- shall not possess nuclear reprocessing and uranium enrichment facilities, and;

- in order to verify the denuclearization of the Korean Peninsula, shall conduct inspections of the objects selected by the other side and agreed upon between the two sides, in accordance with procedures and methods to be determined by the South-North Nuclear Control Commission which shall be established within one month of the effectuation of this joint declaration.

The DPRK and the ROK held a series of South-North Joint Nuclear Control Commission meetings in early 1992 as specified in the Joint Declaration, but these were discontinued as relations between the two Korean states worsened and the DPRK threatened to withdraw from the Nuclear Non-Proliferation Treaty (NPT) and refused to cooperate with the IAEA. As a result, the absence of sustained governmental talks between the ROK and DPRK has delayed further implementation of the Denuclearization Declaration.

The United States has, however, taken steps to encourage DPRK compliance with the Joint Declaration by encouraging North-South dialogue and ensuring DPRK implementation of the Agreed Framework. The Agreed Framework, as a step towards full implementation of the Denuclearization Declaration, has succeeded in eliciting positive DPRK movement on key provisions of the Declaration. Specifically, North Korea's willingness to freeze immediately and eventually dismantle its graphite-moderated nuclear reactors and related facilities has halted activities which would, had they not been stopped, given the DPRK a nuclear weapons capability. Such a capability would have been a threat to peace and security on the Korean Peninsula as well as to Northeast Asia. The DPRK agreement to forego reprocessing under the Agreed Framework and to replace its existing nuclear reactors with proliferation-resistant LWRs represents a major step toward assuring the DPRK will not test, manufacture, produce, store, deploy or possess nuclear weapons. In addition, by agreeing to allow a continuous IAEA inspector presence on the ground and to come into full compliance with its IAEA safeguards obligations, including taking all steps that may be deemed necessary by the IAEA with regard to verifying the accuracy and completeness of the DPRK's initial report on all nuclear material in the DPRK, the DPRK has not only gone beyond its NPT and IAEA safeguards obligations but also is taking steps related to the inspection objectives set forth in the Denuclearization Declaration.

### **Title 3—The President**

#### **Memorandum of Justification Under Section 614 of the Foreign Assistance Act To Provide U.S. Contributions to the Korean Peninsula Energy Development Organization (KEDO)**

The Administration proposes that up to \$22.0 million in FY 1996 International Organizations and Programs (IO&P) funds be used for a U.S. contribution to the Korean Peninsula Energy Development Organization (KEDO), an international consortium established to implement the Agreed Framework signed between the United States and the Democratic People's Republic of Korea (DPRK) on October 21, 1994. This funding level for U.S. contributions to KEDO was specified in the Administration's congressional presentation documents for the Foreign Operations Appropriations Act, 1996 (P.L. 104–107). KEDO would be permitted to use the U.S. contribution to help cover the FY 1996 administrative and heavy fuel oil shipment expenses.

In order to make available the funds appropriated for this contribution, the President intends to exercise his authority under section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, to authorize the voluntary contribution to KEDO without regard to applicable statutory restrictions within the scope of this section, including any restrictions in sections 307, 620A, 620(f), or 530 of the Foreign Assistance Act or sections 507, 516, 523, or 527A of the Foreign Operations Appropriations Act.

The Agreed Framework addresses U.S. and international concerns about the DPRK's nuclear weapons program and, if fully implemented, will lead ultimately to the complete dismantlement of North Korea's current nuclear program. Under the U.S.—DPRK Agreed Framework, the U.S. represented that it would “organize under its leadership an international consortium to finance and supply the light-water reactor (LWR) project to be provided to the DPRK.” In order to meet this pledge, the U.S., South Korea (ROK) and Japan agreed on the creation of an international organization, KEDO, to implement the reactor project, the annual delivery of 500,000 metric tons of heavy fuel oil delivery to North Korea and other possible projects called for in the Agreed Framework (e.g., the transfer of spent fuel out of the DPRK for ultimate disposition). The U.S., ROK and Japan have played and will continue to play leading roles in KEDO.

KEDO's purpose is to coordinate cooperation among interested parties in the international community and to facilitate the financing and execution of projects needed to implement the Agreed Framework. KEDO members have agreed to cooperate in taking the steps necessary to implement the Agreed Framework consistent with the Charter of the United Nations, the Treaty on the Nonproliferation of Nuclear Weapons, the North-South Declaration on the Denuclearization of the Korean Peninsula, and the Statute of the International Atomic Energy Agency. Moreover, KEDO will obtain assurances that nuclear materials, equipment, or technology transferred to the DPRK in connection with projects undertaken by KEDO will be used exclusively for such projects, only for peaceful purposes, and in a manner that ensures the safe use of nuclear energy. The continued funding of KEDO is critical to the success of the specific objectives of the Agreed Framework, the general goals of international nuclear nonproliferation, and the aim of maintaining peace and security on the Korean Peninsula.

### Other Presidential Documents

KEDO is located in New York and is directed by an Executive Board consisting of representatives of the original member countries—the U.S., Japan, and the ROK. Other members may participate in its activities by serving on advisory committees covering the organization's projects, attending the KEDO General Conference, participating in ad hoc technical meetings relating to KEDO projects and, in some cases, sending technical experts to serve in the KEDO secretariat. The day-to-day operations of KEDO are directed by Executive Director Stephen Bosworth, former U.S. Ambassador to the Philippines, assisted by two Deputy Executive Directors (one from Japan and one from the ROK). KEDO is seeking to contract with private firms for the bulk of the legal, technical, and financial expertise required to oversee the LWR project and other projects. It will have a secretariat consisting of approximately 30 people to carry out its functions.

The U.S. contribution to KEDO will help fund: 1) KEDO's FY 1996 costs for office space, office supplies, communications, consulting costs and legal services, and employee remuneration for a staff of thirty people, including the Executive Director, the two Deputy Directors, and support personnel; and 2) a portion of the estimated \$50 million worth of heavy fuel oil due to be shipped in 1996. These funds are essential to KEDO's ability to meet the terms of the U.S.-DPRK Agreed Framework regarding the provision of heavy fuel oil. Should KEDO fail to meet these deliveries, the DPRK might renege on its Agreed Framework obligations, including possibly breaking the freeze on its nuclear program. Hence, early transfer of these funds is essential to meeting our nonproliferation objectives in the DPRK.

Memorandum of April 8, 1996

### Strengthening Drug Control Cooperation With Mexico

#### *Memorandum for the Heads of Executive Departments and Agencies*

This memorandum is to direct actions that will be taken by executive departments and agencies to improve the effectiveness of United States-Mexico drug control cooperation.

The Seriousness of the Drug Trafficking Threat to the United States and Mexico:

Drug abuse and drug trafficking pose enormous threats to the American and Mexican people. The health of our youth and the safety of our neighborhoods are at stake. The powers of our democratic institutions and of our law enforcement organizations are challenged by international criminal organizations that operate seamlessly across our borders. Multi-ton quantities of cocaine, marijuana, heroin, and now methamphetamine, find their way to American streets far from our borders, much of it having come across our common border.

A Joint United States-Mexico Commitment to Confront Drug Trafficking:

On March 1, I certified to the Congress that the Government of Mexico cooperated fully to comply with the objectives of the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. President Zedillo and I have agreed to mount a sustained offensive against drug use, production, and trafficking organizations. We will arrest

### **Title 3—The President**

and bring drug traffickers to justice. We will make it more difficult for illegal profits to be laundered, and we will seize drug assets at every opportunity. We will work together to stop the illegal diversion of chemicals for drug manufacturing, and improve our capabilities to stop drugs at our border. To coordinate our efforts, Mexico and the United States formed a High Level Contact Group on Drug Control, which met for the first time March 27 in Mexico City. That group will continue indefinitely. It will meet next at the end of June in the United States, and thereafter in December, in Mexico.

A United States Plan of Action for Increased Cooperation With Mexico:

This directive prescribes specific measures that will be taken to accomplish these shared objectives; measures that will increase the effectiveness of the counter-drug cooperation between our two governments.

#### *1. Quantifying the Drug Trafficking Threat to Our Two Nations*

A prerequisite for more effective bilateral action is a shared and objective assessment of the level of drug production, trafficking activities, and the threat of corruption in both countries.

In order to establish a common view of the problem, the Office of National Drug Control Policy (ONDCP) will coordinate other United States Government agencies in order to work effectively with officials designated by President Zedillo to produce a white paper that comprehensively describes the threat posed by cultivation, production, and trafficking of drugs such as cocaine, heroin, marijuana, methamphetamine, and diversion of pharmaceuticals such as rohypnol, in both the United States and Mexico. Particular attention will be paid to drug trafficking activities across the Southwest border.

This report will be presented to the U.S.-Mexico High Level Contact Group on Drugs during its next meeting in June.

#### *2. Developing a Joint Drug Control Strategy*

We need a strategy to provide general guidance and specific direction to the efforts of the departments and agencies of our two countries.

I have directed the Director of National Drug Control Policy to expeditiously develop a binational drug control strategy in conjunction with the Government of Mexico. The strategy must increase the security and integrity of our shared border, while respecting the sovereign rights of each nation.

#### *3. Reducing the Demand for Illegal Drugs in Our Two Countries*

Prevention and treatment programs have contributed to a marked reduction in the number of drug users in the United States in the past decade. The number of casual drug users has dropped by almost half and the number of cocaine users by over a third. Mexico, likewise, has enjoyed positive results in its drug prevention programs. Both the United States and Mexico stand to benefit by sharing information on demand reduction programs that work.

The Office of National Drug Control Policy will organize multi-agency United States Government efforts to exchange expertise with appropriate organizations within the Mexican Government for information on successful reduction programs.

## Other Presidential Documents

In the interests of enriching bilateral information exchange, U.S. agencies should take steps to ensure that the Mexican Government receives copies of relevant public reports and published studies relating to drug abuse education, trafficking patterns, money laundering, and so forth. The two governments will also work jointly to develop a protocol for exchange of more sensitive information.

### *4. Assessing U.S. Counter-drug Programs Along the Southwest Border*

The increasing two-way trade between our nations must not be permitted to be used as a cover for drug trafficking.

I have directed the Departments of the Treasury, Justice, Defense, and other relevant agencies to conduct a comprehensive review of all Federal, State, and local efforts to prevent drug trafficking across the Southwest border.

This review will be coordinated by the Office of National Drug Control Policy. It will also consider bilateral measures that can be taken to decrease the flow of drugs across the Southwest border. The results of this review shall be submitted to the President's Council on Counter-Narcotics within 180 days.

### *5. Attacking Methamphetamine Production and Trafficking*

Methamphetamine has become the drug of choice in California and is becoming more common across the rest of the United States. Clandestine labs in both countries produce tons of this dangerous drug. The Department of Justice (DOJ) has just developed a concept to address domestic consumption, production, and trafficking of methamphetamine.

The Department of Justice will continue to lead the U.S.-Mexico Plenary Group of Senior Law Enforcement Officials to produce a binational and interagency methamphetamine strategy. The DOJ will make regular reports to the High Level Contact Group through ONDCP of the progress and plans that result from the working sessions, and will report methamphetamine accomplishments at the next meeting of the High Level Contact Group.

### *6. Controlling Essential and Precursor Chemicals*

Essential and precursor chemicals for the manufacture of all types of illegal drugs must be more carefully controlled.

The Department of Justice will continue to lead the U.S.-Mexico Plenary Group of Senior Law Enforcement Officials to produce a binational and interagency strategy and action plan for chemical controls not included in the methamphetamine action plan. The DOJ will make regular reports on plans and progress through ONDCP to the High Level Contact Group.

### *7. Combating Money Laundering and Other Financial Crimes*

Drug trafficking organizations are profit oriented. Their illicit gains must be converted into legal instruments if the profit is to be realized. Money laundering is an essential component of the drug trafficking cycle.

Working through the U.S.-Mexico Plenary Group of Senior Law Enforcement Officials, the Departments of State, Justice, and the Treasury will develop recommendations for strengthening legislation to combat drug and other serious crime-related money laundering activities in Mexico through a combination of criminal penalties, large value and suspicious transaction reporting, as well as laws providing for the seizure and forfeiture of the

### **Title 3—The President**

proceeds and instrumentalities of crime and for international cooperation in the tracing, forfeiting, and equitable sharing of such assets. In addition, the Departments that comprise the Plenary Group will produce a plan for training anti-money-laundering law enforcement specialists, and a plan to expand the exchange of information to protect the integrity of financial institutions. They will report progress and plans through ONDCP to the High Level Contact Group.

A report on progress achieved in this area will be presented to the U.S.-Mexico High Level Contact Group on Drugs during its next meeting in June.

#### **8. *Improving Bilateral Law Enforcement Cooperation***

Bilateral U.S.-Mexican law enforcement cooperation is at an historic high. However, more can be done.

The U.S.-Mexico Plenary Group of Senior Law Enforcement Officials will continue to be the principal coordinating mechanism for bilateral law enforcement cooperation. The Department of Justice will continue to lead that Group. The DOJ will make regular reports to the High Level Contact Group through ONDCP of the progress and plans that result from the working sessions, and will report law enforcement cooperation accomplishments at the next meeting of the High Level Contact Group. The basic principle to be followed is that coordination will be facilitated at the lowest possible echelons and produce measurable results.

Recommendations from the Plenary Group will also be presented to the U.S.-Mexico High Level Contact Group on Drugs during its next meeting in June.

#### **9. *Capturing Fugitives from Justice***

The principle that no felon should be able to escape justice by using a border defines the joint U.S.-Mexico approach to fugitive issues.

The Department of Justice, operating through the U.S.-Mexico Plenary Group of Senior Law Enforcement Officials will improve the mechanism for return of fugitives from one country to the other. Those mechanisms will fully respect the absolute sovereignty of each nation's laws.

The DOJ will make regular reports to the High Level Contact Group through ONDCP of the progress and plans that result from the Plenary Group sessions, and will report law enforcement cooperation accomplishments at the next meeting of the High Level Contact Group.

#### **10. *Sharing Information and Helping Criminal Prosecution***

We must assure that criminals do not escape punishment because of an inability to investigate or produce evidence for trial.

The U.S.-Mexico Plenary Group of Senior Level Law Enforcement Officials will produce recommendations for both countries to improve access to law enforcement and prosecutorial evidence and information. The Group will report its progress at the June meeting of the High Level Contact Group.

#### **11. *Denying Our Sovereign Territory to Drug Trafficking***

International drug trafficking organizations routinely violate the sovereign air, land, and sea space of nations. We must find ways to shield our sovereign territories from these criminal violations.

### Other Presidential Documents

The ONDCP will coordinate an interagency effort to develop unilateral and bilateral measures to prevent drug traffickers from violating our sovereignty. Such measures must fully respect the undisputed sovereign authority of each government within its national territory. Participating departments will include Justice, State, the Treasury, and Defense. Particular attention will be paid to large shipments of illegal drugs to Mexico and the United States.

An interim report will be presented to the U.S.-Mexico High Level Contact Group on Drugs during its next meeting in June.

#### *12. Employing High Technology*

Mexico eradicated more drug crops than any other country in the world in 1995. The United States, likewise, has pursued a nationwide eradication effort. Technical exchanges, in such areas as use of high technology and environmental protection, will benefit the eradication programs of both countries.

The ONDCP will coordinate an interdepartmental study on these issues. The study will be conducted in conjunction with the Government of Mexico. The Departments of Defense and State, and other relevant U.S. agencies will participate in this study.

Specific recommendations will be submitted to the U.S.-Mexico High Level Contact Group on Drugs within 180 days.

#### *13. Summarizing Success*

The Director of the Office of National Drug Control Policy is directed to submit a review of the results of cooperative U.S.-Mexico efforts against drug production and trafficking to the President's Council on Counter-Narcotics, prior to December 31, 1996.

This memorandum shall be published in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 8, 1996.*

Presidential Determination No. 96-22 of April 18, 1996

### Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

#### *Memorandum for the Secretary of State*

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$22 million be made available from the United States Emergency Refugee and Migration Assistance Fund to meet the urgent needs of refugees and victims of conflict from the former Yugoslavia. These funds may be used as necessary to provide U.S. contributions in response to the appeals of international and nongovernmental organizations for funds to meet the urgent and unforeseen humanitarian needs of victims of conflict from the former Yugoslavia.

### Title 3—The President

You are authorized and directed to inform the appropriate committees of the Congress of the determination and the obligation of funds under this authority and to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 18, 1996.*

Memorandum of April 22, 1996

### Additional Transportation Planning To Address Impacts of Transportation on National Parks

#### *Memorandum for the Heads of Executive Departments and Agencies*

Transportation in national parks—including ground transportation of visitors into the parks and airplane flights over the parks—has a significant impact on a visitor's experience of the park and on park management. The Secretary of Transportation has both valuable expertise and regulatory authority to address certain of these issues, and has been working on them with the Secretary of the Interior and others.

Aircraft flying at low altitudes over national parks can, if not properly managed, mar the natural beauty of the parks and create significant noise problems as well. The intrusion of such aircraft can interfere with wildlife (including threatened and endangered species), cultural resources and ceremonies, and visitors' enjoyment of parks, including the ability to experience natural sounds without interruption from mechanical noise. Several parks face overflight problems, including Grand Canyon National Park where substantial restoration of natural quiet is mandated by law, and several others identified by the National Park Service (NPS). It is important to the future of parks to address these problems quickly and in a fair and reasonable manner.

In addition, the National Park System contains thousands of miles of roads. All too often in peak visitor periods roads are so crowded with cars that the congestion and competition for space diminish the quality of the public's experience. Parks are not too full of people, but the roads and parking areas often are jammed. With modern technology and alternative transportation systems, the parks can continue to be accessible to all, and can be more enjoyable places to experience and learn about nature and history.

Therefore, to the extent permitted by law, I hereby direct the Secretary of Transportation in consultation with the heads of relevant departments and agencies to continue the ongoing development of rules as set out below to address overflights of the National Parks:

1. For Grand Canyon National Park,

- (a) issue proposed regulations within 90 days to place appropriate limits on sightseeing aircraft over the Grand Canyon National Park to reduce the noise immediately and make further substantial progress toward restoration of natural quiet, as defined by the Secretary of the Interior, while maintaining aviation safety in accordance with the Overflights Act (Public



### Other Presidential Documents

Law 100–91). Action on this rulemaking to accomplish these purposes should be completed by the end of 1996; and

(b) should any final rulemaking determine that issuance of a further management plan is necessary to substantially restore natural quiet in the Grand Canyon National Park, complete within 5 years a plan that addresses how the Federal Aviation Administration and NPS will complete the “substantial restoration and maintenance of natural quiet,” as defined by the Secretary of the Interior in accordance with the Overflights Act. Any such plan shall ensure that the restoration of natural quiet required by the Overflights Act shall be completed in the park not more than 12 years from the date of issuance of this directive as recommended in NPS’s 1994 “Report on Effects of Aircraft Overflights on the National Park System.”

2. For Rocky Mountain National Park, complete and issue, if appropriate, within 90 days, a notice of proposed rulemaking to address the potential adverse impact on the park and its visitors of overflights by sightseeing aircraft, keeping in mind the value of natural quiet and the natural experience in the park, as well as protection of public health and safety.

3. Issue by the end of 1996 a notice of proposed rulemaking for the management of sightseeing aircraft in those National Parks where it is deemed necessary to reduce or prevent the adverse effects of such aircraft. The regulation should, at a minimum, establish a framework for managing air traffic over those park units identified in the 1994 NPS study, as priorities for (1) resolution of airspace issues and (2) maintaining or restoring natural quiet.

4. Develop appropriate educational and other materials for the public at large and all aviation interests that describe the importance of natural quiet to park visitors and the need for cooperation from the aviation community. This guidance shall also recognize that, in some parks, air tours provide important access to approved areas in those parks, especially with regard to the disabled communities.

In addition, with respect to ground transportation in the parks, the Secretary of the Interior, in consultation with the Secretary of Transportation, is directed as follows:

To develop a plan for a comprehensive effort to improve public transportation in the national parks. This plan should include:

1. design of pilot programs for improved public transportation in the Grand Canyon, Zion, and Yosemite National Parks;
2. plans to work with relevant State, local, and tribal governments on this effort;
3. options to increase access to the parks by rebuilding infrastructure in the parks; and
4. recommendations to enhance resource protection and the quality of visitor experience through innovative transportation planning including, where possible and appropriate, the use of alternative fuel vehicles.

This memorandum shall be published in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 22, 1996.*

### Title 3—The President

Memorandum of April 22, 1996

## Facilitating Public-Private Partnerships for Protection of the National Parks

### *Memorandum for the Heads of Executive Departments and Agencies*

Many important efforts are already underway in which the private sector works in partnership with government to protect or maintain public lands. These include the work of the National Park Foundation, an organization created by the Congress in 1967 to receive private gifts and make disbursements to benefit the parks; cooperative agreements between the private sector and State and local parks to share resources and equipment and to provide valuable services, including maintenance services, to the parks; and agreements with willing private parties to acquire conservation easements. In an effort to ensure that the public-private partnerships that can enhance park protection and maintenance are as effective as possible, I hereby direct the following action:

1. The Secretary of the Interior is to provide to me, within 30 days, a specific proposal for ways in which the National Park Foundation's role in fostering public-private partnerships on behalf of the parks can be invigorated through either administrative or legislative action.

2. The Secretary of the Interior is to provide to me a legislative proposal that would make permanently available to the National Park System the authority to enter into cooperative agreements on behalf of the parks. This proposal should be consistent with the temporary authority that would be provided by enactment of my 1997 budget proposal as submitted to the Congress.

3. The Secretary of the Interior is to provide a report to me within 6 months on options for preserving historic structures within National Parks. This report should consider the possibilities for partnerships with businesses, associations, and individuals in the private sector.

4. The Secretary of the Interior shall work with the Congress to pass legislation that would allow the implementation of the 1995 National Park Service study to protect vistas surrounding Point Reyes National Seashore, California, while retaining existing private uses through actions including the purchase of conservation easements from willing private sellers. The Secretary of the Interior shall also give priority to funding such purchases from existing funds should authorization for such purchases be enacted. In addition, to the extent permitted by law and within existing budget authority, the Secretary shall exercise his existing authority to make a minor boundary adjustment as necessary to carry out the purposes of the National Park Service study to add property to Point Reyes National Seashore prior to enactment of such legislation, and to make available an amount of funds not to exceed \$1 million to purchase such property from willing sellers.

This memorandum shall be published in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, April 22, 1996.

## Other Presidential Documents

Memorandum of April 26, 1996

### Suspension of the Proviso Limiting Implementation of Subsections (a), (b), (c), (e), (g), or (i) of the Endangered Species Act of 1973 (16 U.S.C. 1533) Contained in the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (H.R. 3019)

*Memorandum for the Secretary of the Interior [and] the Secretary of Commerce*

By the authority vested in me by the final proviso under the heading of United States Fish and Wildlife Service, Resource Management, of title I of the Department of the Interior and Related Agencies Appropriations Act, 1996 (authorizing the suspension of the preceding proviso limiting implementation of subsections (a), (b), (c), (e), (g), or (i) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) ("limitation proviso")), and section 301 of title 3, United States Code, I hereby suspend that limitation proviso because I have determined that such suspension is appropriate based upon the public interest in sound environmental management, sustainable resource use, protection of national or locally-affected interests, and protection of cultural, biological, or historic resources.

This suspension is effective immediately and shall continue until the limitation proviso expires.

The Secretary of the Interior is authorized to report this suspension to the Congress and to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, April 26, 1996.

Memorandum of April 26, 1996

### Suspension of Subsection 325(a) and Subsection 325(b) of the Department of the Interior and Related Agencies Appropriations Act, 1996, ("Act") as Set Forth in Section 101(c) of Title I of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (H.R. 3019) Concerning the Tongass National Forest

*Memorandum for the Secretary of Agriculture*

By the authority vested in me by subsection 325(c) of the Department of the Interior and Related Agencies Appropriations Act, 1996, ("Act") as set forth in section 101(c) of title I of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (H.R. 3019), and section 301 of title 3, United States Code, I hereby suspend subsections 325(a) and 325(b) of the Act because I have determined that such suspension is appropriate based

### **Title 3—The President**

upon the public interest in sound environmental management and protection of cultural, biological, or historic resources.

This suspension shall take effect immediately and shall continue in effect for the period in which subsection 325(a) and subsection 325(b) of the Act would otherwise be in effect.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 26, 1996.*

Memorandum of April 26, 1996

**Suspension of Subsection 119(a) of the Department of the Interior and Related Agencies Appropriations Act, 1996, (“Act”) as set forth in Section 101(c) of Title I of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (H.R. 3019) Regarding the Mojave National Preserve**

#### *Memorandum for the Secretary of the Interior*

By the authority vested in me by subsection 119(b) of the Department of the Interior and Related Agencies Appropriations Act, 1996, (“Act”) as set forth in section 101(c) of title I of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (H.R. 3019), and section 301 of title 3, United States Code, I hereby suspend subsection 119(a) of the Act because I have determined that such suspension is appropriate based upon the public interest in sound environmental management, sustainable resource use, protection of national or locally-affected interests, and protection of cultural, biological, or historic resources.

This suspension shall take effect immediately and shall continue until subsection 119(a) expires.

You are authorized and directed to report this suspension to the Congress and to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 26, 1996.*

Memorandum of April 28, 1996

**Exports of Alaskan North Slope (ANS) Crude Oil**

*Memorandum for the Secretary of Commerce [and] the Secretary of Energy*  
Pursuant to section 28(s) of the Mineral Leasing Act, as amended, 30 U.S.C. 185, I hereby determine that exports of crude oil transported over right-of-

### Other Presidential Documents

way granted pursuant to section 203 of the Trans-Alaska Pipeline Authorization Act are in the national interest. In making this determination, I have taken into account the conclusions of an interagency working group, which found that such oil exports:

- will not diminish the total quantity or quality of petroleum available to the United States; and

- are not likely to cause sustained material oil supply shortages or sustained oil price increases significantly above world market levels that would cause sustained material adverse employment effects in the United States or that would cause substantial harm to consumers, including those located in noncontiguous States and Pacific Territories.

I have also considered the interagency group's conclusions regarding potential environmental impacts of lifting the ban. Based on their findings and recommendations, I have concluded that exports of such crude oil will not pose significant risks to the environment if certain terms and conditions are met.

Therefore, pursuant to section 28(s) of the Mineral Leasing Act I direct the Secretary of Commerce to promulgate immediately a general license, or a license exception, authorizing exports of such crude oil, subject to appropriate documentation requirements, and consistent with the following conditions:

- tankers exporting ANS exports must use the same route that they do for shipments to Hawaii until they reach a point 300 miles due south of Cape Hinchinbrook Light and then turn toward Asian destinations. After reaching that point, tankers in the ANS oil trade must remain outside of the 200 nautical-miles Exclusive Economic Zone of the United States as defined in the Fisheries Conservation and Management Act (16 U.S.C. 1811). This condition also applies to tankers returning from foreign ports to Valdez, Alaska. Exceptions can be made at the discretion of the vessel master only to ensure the safety of the vessel;

- that export tankers be equipped with satellite-based communications systems that will enable the Coast Guard independently to determine their location. The Coast Guard will conduct appropriate monitoring of the tankers, a measure that will ensure compliance with the 200-mile condition, and help the Coast Guard respond quickly to any emergencies;

- the owner or operator of an Alaskan North Slope crude oil export tankship shall maintain a Critical Area Inspection Plan for each tankship in the trade in accordance with the U.S. Coast Guard's Navigation and Inspection Circular No. 15-91 as amended, which shall include an annual internal survey of the vessel's cargo block tanks; and

- the owner or operator of an Alaskan North Slope crude oil export tankship shall adopt a mandatory program of deep water ballast exchange (i.e., in 2,000 meters water depth). Exceptions can be made at the discretion of the captain only in order to ensure the safety of the vessel. Recordkeeping subject to Coast Guard audit will be required as part of this regime.

### **Title 3—The President**

The Secretary of Commerce is authorized and directed to inform the appropriate committees of the Congress of this determination and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 28, 1996.*

Presidential Determination No. 96-23 of April 30, 1996

#### **Suspending Prohibitions on Certain Sales and Leases Under the Anti-Economic Discrimination Act of 1994**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by Section 564 of the Foreign Relations Authorization Act ("the Act"), Fiscal Years 1994 and 1995, Public Law 103-236, as amended, I hereby:

(1) determine and certify that the following countries do not currently maintain a policy or practice of sending letters to United States firms requesting compliance with, or soliciting information regarding compliance with, the Arab League secondary or tertiary boycott of Israel:

Jordan and Mauritania;

(2) determine that extension of suspension of the application of Section 564(a) of the Act to the following countries until May 1, 1997, will promote the objectives of Section 564:

Algeria, Bahrain, Bangladesh, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.

You are authorized and directed to report this determination to the appropriate committees of the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 30, 1996.*

Presidential Determination No. 96-24 of May 9, 1996

#### **Assistance Program for the New Independent States of the Former Soviet Union**

##### *Memorandum for the Secretary of State*

Pursuant to subsection (o) under the heading "Assistance for the New Independent States of the Former Soviet Union" in title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104-107) and section 301 of title 3, United States Code, I hereby determine that it is important to the national security interest of the United States to make available funds appropriated under that heading without regard to the restriction in that subsection.

### Other Presidential Documents

You are authorized and directed to notify the Congress of this determination and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, May 9, 1996.*

Memorandum of May 10, 1996

### Delegation of Responsibilities Under Section 211(c) of Title II of Public Law 102-228

#### *Memorandum for the Secretary of State [and] the Secretary of Defense*

By the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of State the authority and duty vested in the President under section 211(c) of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102-228), as amended.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, May 10, 1996.*

Presidential Determination No. 96-25 of May 16, 1996

### Waiver of Statutory Restrictions To Permit Assistance to Turkey

#### *Memorandum for the Secretary of State*

Pursuant to subsection (b) of section 562 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104-107) (The "Act"), I hereby determine that it is in the national security interest of the United States to make funds available for assistance in support of Turkey notwithstanding the restriction in subsection (a) of section 562.

You are authorized and directed to transmit this determination and justification to the Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, May 16, 1996.*

### **Title 3—The President**

Presidential Determination No. 96-26 of May 22, 1996

#### **Use of International Organizations and Programs Account Funds for the U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO)**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2364(a)(1) (the “Act”), I hereby determine that it is important to the security interests of the United States to furnish up to \$22 million in funds made available under heading “International Organizations and Programs” in title IV of the Foreign Operations Appropriations Act, 1996 (Public Law 104-107) for the United States contribution to the Korean Peninsula Energy Development Organization without regard to any provision of law within the scope of section 614(a)(1). I hereby authorize this contribution.

You are hereby authorized and directed to transmit this determination to the Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, May 22, 1996.*

Notice of May 24, 1996

#### **Continuation of Emergency With Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs**

On May 30, 1992, by Executive Order 12808, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Governments of Serbia and Montenegro, blocking all property and interests in property of those Governments. President Bush took additional measures to prohibit trade and other transactions with the Federal Republic of Yugoslavia (Serbia and Montenegro) by Executive Orders 12810 and 12831, issued on June 5, 1992, and January 15, 1993, respectively. On April 25, 1993, I issued Executive Order 12846, blocking the property and interests in property of all commercial, industrial, or public utility undertakings or entities organized or located in the Federal Republic of Yugoslavia (Serbia and Montenegro), and prohibiting trade-related transactions by United States persons involving those areas of the Republic of Bosnia and Herzegovina controlled by Bosnian Serb forces and the United Nations Protected Areas in the Republic of Croatia. On October 25, 1994, because of the actions and policies of the Bosnian Serbs, I expanded the scope of the national emergency to block the property of the Bosnian Serb forces and the authorities in the territory that they control within the Republic of Bosnia and Herzegovina, as well



### Other Presidential Documents

as the property of any entity organized or located in, or controlled by any person in, or resident in, those areas.

On December 27, 1995, I issued Presidential Determination No. 96-7, directing the Secretary of the Treasury, *inter alia*, to suspend the application of sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to the above-referenced Executive orders and to continue to block property previously blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the "Resolution"), was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialled by the parties in Dayton, Ohio, on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the "Peace Agreement"). The sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) were accordingly suspended prospectively, effective January 16, 1996. Sanctions imposed on the Bosnian Serb forces and authorities and on the territory that they control within the Republic of Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, also in conformity with the Peace Agreement and Resolution.

In the last year, substantial progress has been achieved to bring about a settlement on the conflict in the former Yugoslavia acceptable to the parties. Before agreeing to the sanctions suspension, the United States insisted on a credible reimposition mechanism to ensure the full implementation of the Peace Agreement. Thus, Resolution 1022 provides a mechanism to reimpose the sanctions if the Federal Republic of Yugoslavia or the Bosnian Serb authorities fail significantly to meet their obligations under the Peace Agreement. It also provides that sanctions will not be terminated until after the first free and fair elections occur in the Republic of Bosnia and Herzegovina, as provided for in the Peace Agreement, and provided that the Bosnian Serb forces have continued to respect the zones of separation as provided in the Peace Agreement. The Resolution also provides for the continued blocking of assets potentially subject to conflicting claims and encumbrances, including the claims of the other successor states of the former Yugoslavia, until provision is made to address them.

Because the resolution of the crisis and conflict in the former Yugoslavia that resulted from the actions and policies of the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), and of the Bosnian Serb forces and the authorities in the territory that they control, will not be complete until such time as the Peace Agreement is implemented fully and the terms of Resolution 1022 have been met, the national emergency declared on May 30, 1992, as expanded in scope on October 25, 1994, and the measures adopted pursuant thereto to deal with that emergency must continue beyond May 30, 1996.

Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serb forces and those areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces.

### **Title 3—The President**

This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*May 24, 1996.*

Presidential Determination No. 96-27 of May 28, 1996

#### **U.S.-Israel Arrow Deployability Program**

##### *Memorandum for the Secretary of Defense*

Pursuant to the authority vested in me by the National Defense Authorization Act for Fiscal Year 1994, Public Law 103-160, I hereby certify that:

—the United States and the Government of Israel have entered into an agreement governing the conduct and funding of the Arrow Deployability Program;

—the Arrow Deployability Program will benefit the United States and has not been barred by other Congressional direction;

—the Arrow missile successfully completed a flight test on June 12, 1994, in which it intercepted a target missile under realistic test conditions; and

—the Government of Israel is continuing, in accordance with its previous public commitments, to adhere to export controls pursuant to the Guidelines and Annex of the Missile Technology Control Regime.

You are authorized and directed to notify the Congress of this determination and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, May 28, 1996.*

Presidential Determination No. 96-28 of May 29, 1996

#### **Vietnamese Cooperation in Accounting for United States Prisoners of War and Missing in Action (POW/MIA)**

##### *Memorandum for the Secretary of State*

Consistent with section 609 of the Fiscal Year 1996 Omnibus Appropriations Act, Public Law 104-134, I hereby determine, based on all information available to the United States Government that the Government of the Socialist Republic of Vietnam, is cooperating in full faith with the United States in the following areas:

- (1) Resolving discrepancy cases, live sightings and field activities;
- (2) Recovering and repatriating American remains;

### Other Presidential Documents

(3) Accelerating efforts to provide documents that will help lead to the fullest possible accounting of POW/MIA's; and

(4) Providing further assistance in implementing trilateral investigations with Laos.

I have been advised by the Department of Justice and believe that section 609 is unconstitutional because it purports to condition the execution of responsibilities—the authority to recognize, and to maintain diplomatic relations with, a foreign government—that the Constitution commits exclusively to the President. I am, therefore, providing this determination as a matter of comity, while reserving my position that the condition enacted in section 609 is unconstitutional.

Finally, in making this determination, I wish to emphasize my continuing personal commitment to the entire POW/MIA community, especially to the immediate families, relatives, friends and supporters of these brave individuals, and to reconfirm that the central, guiding principle of my Vietnam policy is to achieve the fullest possible accounting for our prisoners of war and missing in action.

You are authorized and directed to report this determination to the appropriate committees of the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, May 29, 1996.*

Presidential Determination No. 96-29 of May 31, 1996

### Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93-618, 88 Stat. 1978 (hereinafter “the Act”), I determine, pursuant to subsection 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to the People's Republic of China will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, May 31, 1996.*

### **Title 3—The President**

Presidential Determination No. 96-30 of June 3, 1996

#### **Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority**

##### *Memorandum for the Secretary of State*

Pursuant to subsection 402(d)(1) of the Trade Act of 1974, as amended (the “Act”), I determine that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that the continuation of the waivers applicable to Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 3, 1996.*

Presidential Determination No. 96-31 of June 6, 1996

#### **Assistance Program for Russia**

##### *Memorandum for the Secretary of State*

Pursuant to section 577 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Public Law 103-87), I hereby certify that all of the armed forces of Russia and the Commonwealth of Independent States have withdrawn from Latvia and Estonia or that the status of those armed forces has been otherwise resolved by mutual agreement of the parties.

You are authorized and directed to notify the Congress of this certification and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 6, 1996.*

Presidential Determination No. 96-32 of June 14, 1996

#### **Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Middle East Peace Facilitation Act of 1995, title VI, Foreign Operations, Export Financing, and Relat-

### Other Presidential Documents

ed Programs Appropriations Act, 1996, Public Law 104-107, ("the Act"), I hereby:

(1) Certify that it is in the national interest to suspend the application of the following provisions of law until August 12, 1996:

(A) Section 307 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2227), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(C) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 5202); and

(D) Section 37, Bretton Woods Agreement Act (22 U.S.C. 286w), as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund.

(2) certify that the Palestine Liberation Organization, the Palestinian Authority, and successor entities are abiding by the commitments described in section 604(b)(4) of the Act.

(3) certify that funds provided pursuant to the exercise of this authority and the authorities under section 583(a) of Public Law 103-236 and section 3(a) of Public Law 102-125 have been used for the purposes for which they were intended.

You are authorized and directed to transmit this determination to the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 14, 1996.*

Presidential Determination No. 96-33 of June 21, 1996

### Reconfirmation of Findings With Respect to the Trade Agreement With the People's Republic of China

#### *Memorandum for the United States Trade Representative*

Since February 1, 1992, the United States of America and the People's Republic of China have had in effect a bilateral Agreement on Trade Relations, in relation to which, pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I reconfirm that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement and that actual or foreseeable reductions in U.S. tariffs and nontariff barriers to trade resulting from multilateral negotiations are, and continuously have been, satisfactorily reciprocated by the People's Republic of China.

### **Title 3—The President**

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 21, 1996.*

Presidential Determination No. 96–34 of June 26, 1996

### **Bosnian Compliance on Withdrawal of Foreign Forces and Terminating Intelligence Cooperation With Iran**

#### *Memorandum for the Secretary of State*

Pursuant to Public Law 104–122, I hereby determine and certify that:

- the Federation of Bosnia and Herzegovina has complied with Article III of Annex 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces; and that
- intelligence cooperation on training, investigations and related activities between Iranian officials and Bosnian officials has been terminated.

You are authorized and directed to report this determination and certification to the appropriate committees of the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 26, 1996.*

#### **Memorandum of Justification**

On June 26, 1996, pursuant to Public Law 104–122, the President determined and certified that:

- the Federation of Bosnia and Herzegovina has complied with Article III of Annex 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces; and that
- intelligence cooperation on training, investigations, and related activities between Iranian officials and Bosnian officials has been terminated.

The President reached this determination on the basis of all available information. We have also received explicit assurances from the Bosnian Government that foreign forces have been withdrawn and that the intelligence and military relationship with Iran has ended.

With respect to foreign forces, while some individuals have assimilated into Bosnian society and assumed civilian roles, there is no evidence of any remaining organized military units of Mujahedin or other foreign forces in Bosnia. With respect to the Iranians, the Bosnian government has assured that all IRGC personnel we identified to them have left Bosnia. We have no evidence that those IRGC remain. The Bosnian government has

### Other Presidential Documents

also assured us that none of the Iranians can be brought back to Bosnia without its knowledge and that, should any of them return, they would be expelled.

Although we have insisted that the Bosnian government end bilateral intelligence cooperation in such operational areas as training and investigations, and end all military ties, we have never demanded that all Iranian nationals depart Bosnia or that Bosnia terminate diplomatic or economic relations with Tehran. The Bosnian government has moved to end the operational military and intelligence relationship with Iran. It has removed from positions of authority key officials that were heavily engaged in intelligence cooperation with Iran, including the former head of the Bosnian intelligence agency.

We will continue to monitor compliance and will work with the Bosnian Government through a Joint Commission established in Sarajevo to resolve future allegations of non-compliance.

Presidential Determination No. 96-35 of June 26, 1996

#### Determination Under Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended: People's Republic of China

##### *Memorandum for the Secretary of State*

Pursuant to section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as amended, I determine that it is in the national interest for the Export-Import Bank of the United States to extend a loan in the amount of approximately \$260,000,000 to the People's Republic of China in connection with the purchase of U.S. equipment and services for the Nantong II coal-fired power plant in Jiangsu Province.

You are authorized and directed to report this determination to the Congress and publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 26, 1996.*

Presidential Determination No. 96-36 of June 28, 1996

#### Delegation of Authority To Identify Germany Under Title VII and Modify or Restrict Title VII Trade Action Taken Against Germany

##### *Memorandum for the United States Trade Representative*

By the authority vested in me by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to the United States Trade Representative the powers granted the President:

### **Title 3—The President**

(1) in section 305(g)(1)(A) of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2515(g)(1)(A) (the “Act”)), to formally identify Germany as a country that discriminates against U.S. products or services in government procurement of heavy electrical equipment; and

(2) in section 305(g)(2) of the Act to impose, modify, or restrict sanctions in response to the discrimination so identified.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 28, 1996.*

Presidential Determination No. 96-37 of June 29, 1996

#### **Determination Under Section 2(b)(2)(D)(ii) of the Export-Import Bank Act of 1945, as Amended: People’s Republic of China**

##### *Memorandum for the Secretary of State*

Pursuant to Section 2(b)(2)(D)(ii) of the Export-Import Bank Act of 1945, as amended, I determine that it is in the national interest for the Export-Import Bank of the United States to extend a loan in the amount of approximately \$120 million to the People’s Republic of China in connection with the purchase of (1) non-nuclear island balance of plant equipment and services and (2) Westinghouse engineering services to the nuclear island, for two units of the Qinshan II nuclear power plant.

You are authorized and directed to report this determination to the Congress and publish it in the Federal Register

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 29, 1996.*

Presidential Determination No. 96-38 of June 29, 1996

#### **Determination Under Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended: People’s Republic of China**

##### *Memorandum for the Secretary of State*

Pursuant to Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as amended, I determine that it is in the national interest for the Export-Import Bank of the United States to extend a loan in the amount of approximately \$56,000,000 to the People’s Republic of China in connection with the purchase of U.S. equipment and services for the Xiaolangdi hydroelectric power plant in Henan Province.



### Other Presidential Documents

You are authorized and directed to report this determination to the Congress and publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 29, 1996.*

Presidential Determination No. 96-39 of July 6, 1996

### Assistance to Bosnia and Herzegovina

*Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to Section 540(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (the "Act"), I hereby:

- 1) certify that the transfer of defense articles from stocks of the Department of Defense and defense services of the Department of Defense to Bosnia and Herzegovina will assist that country in self-defense, thereby promoting security and stability of the Balkan region;
- 2) direct the transfer of up to \$100 million in defense articles and defense services from the Department of Defense to assist Bosnia and Herzegovina;
- 3) delegate to the Secretary of Defense the reporting functions contained in Section 540(c) of the Act.

The Secretary of State is authorized and directed to transmit this determination and certification to the appropriate committees of the Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, July 6, 1996.*

Memorandum of July 8, 1996

### Delegation of Authority With Respect to Debt Reduction for the Poorest Countries

*Memorandum for the Secretary of the Treasury*

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 570 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104-107) (the "FY 1996 Act"), section 561 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1995 (Public Law 103-306) (the "FY 1995 Act"), and section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Defense, the functions, authorities, and duties conferred upon the President by section 570(a) of the FY 1996 Act, by section 561(a) of the FY 1995 Act, and by

### **Title 3—The President**

any hereafter-enacted provision of law that is the same or substantially the same as section 570(a) of the FY 1996 Act and section 561(a) of FY 1995 Act.

The Secretary of the Treasury is authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, July 8, 1996.*

Presidential Determination No. 96-40 of July 8, 1996

#### **Assistance for Bosnia and Herzegovina**

##### *Memorandum for the Secretary of State*

Pursuant to section 2 of Public Law 104-122 ("the Act"), I hereby determine and certify that the aggregate bilateral contributions pledged by non-United States donors for economic revitalization are at least equivalent to the U.S. bilateral contributions for economic revitalization made by the Act and in Public Law 104-107.

You are authorized and directed to transmit this determination to the appropriate committees of the Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, July 8, 1996.*

Notice of July 22, 1996

#### **Continuation of Iraqi Emergency**

On August 2, 1990, by Executive Order 12722, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Iraq. By Executive Orders 12722 of August 2, 1990, and 12724 of August 9, 1990, the President imposed trade sanctions on Iraq and blocked Iraqi government assets. Because the Government of Iraq has continued its activities hostile to United States interests in the Middle East, the national emergency declared on August 2, 1990, and the measures adopted on August 2 and August 9, 1990, to deal with that emergency must continue in effect beyond August 2, 1996. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iraq.

### Other Presidential Documents

This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*July 22, 1996.*

Presidential Determination No. 96-41 of August 12, 1996

### Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Middle East Peace Facilitation Act of 1995, title VI, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, Public Law 104-107 ("the Act"), I hereby:

(1) Certify that it is in the national interest to suspend the application of the following provisions of law through February 12, 1997:

(A) Section 307 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2227), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(C) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 5202); and

(D) Section 37, Bretton Woods Agreement Act (22 U.S.C. 286w), as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund.

(2) certify that the Palestine Liberation Organization, the Palestinian Authority, and successor entities are complying with the commitments described in section 604(b)(4) of the Act.

(3) certify that funds provided pursuant to the exercise of the authority of the Act and the authorities under section 583(a) of Public Law 103-236 and section 3(a) of Public Law 103-125 have been used for the purposes for which they were intended.

You are authorized and directed to transmit this determination to the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 12, 1996.*

### Title 3—The President

Notice of August 14, 1996

#### Continuation of Emergency Regarding Export Control Regulations

On August 19, 1994, consistent with the authority provided me under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), I issued Executive Order No. 12924. In that order, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States in light of the expiration of the Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 *et seq.*). Because the Export Administration Act has not been renewed by the Congress, the national emergency declared on August 19, 1994, must continue in effect beyond August 19, 1996. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order No. 12924.

This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*August 14, 1996*

Presidential Determination No. 96-42 of August 24, 1996

#### POW/MIA Military Drawdown for Vietnam

##### *Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 535 of the 1996 Foreign Operations Assistance Act (Public Law 104-107) (the “Act”), I hereby determine that it is necessary to draw down defense articles from the stocks of the Department of Defense for Vietnam for the purposes set forth in the Act of supporting efforts to locate and repatriate members of the United States Armed Forces and civilians employed directly or indirectly by the United States Government who remain unaccounted for from the Vietnam War.

Therefore, I hereby authorize and direct the drawdown of up to \$3 million of such defense articles from the stocks of the Department of Defense for Vietnam, for the purposes and under the authorities of section 535 of the Act.

The Secretary of State is authorized and directed to report this determination to the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 24, 1996.*

### Other Presidential Documents

Presidential Determination No. 96-43 of August 27, 1996

#### Extension of the Exercise of Certain Authorities Under the Trading With the Enemy Act

*Memorandum for the Secretary of State [and] the Secretary of the Treasury*

Under section 101(b) of Public Law 95-223 (91 Stat. 1625; 50 U.S.C. App. 5(b) note), and a previous determination made by me on September 8, 1995 (60 FR 47659), the exercise of certain authorities under the Trading With the Enemy Act is scheduled to terminate on September 14, 1996.

I hereby determine that the extension for 1 year of the exercise of those authorities with respect to the applicable countries is in the national interest of the United States.

Therefore, pursuant to the authority vested in me by section 101(b) of Public Law 95-223, I extend for 1 year, until September 14, 1997, the exercise of those authorities with respect to countries affected by:

- (1) the Foreign Assets Control Regulations, 31 CFR Part 500;
- (2) the Transaction Control Regulations, 31 CFR Part 505; and
- (3) the Cuban Assets Control Regulations, 31 CFR Part 515.

The Secretary of the Treasury is authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 27, 1996.*

Presidential Determination No. 96-44 of August 27, 1996

#### Reconfirmation of Findings With Respect to the Trade Agreement With Albania

*Memorandum for the United States Trade Representative*

Since November 2, 1992, the United States of America and Albania have had in effect a bilateral Agreement on Trade Relations, in relation to which, pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I reconfirm that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement and that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are, and continuously have been, satisfactorily reciprocated by Albania.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 27, 1996.*

### **Title 3—The President**

Presidential Determination No. 96-45 of August 27, 1996

#### **Reconfirmation of Findings With Respect to the Trade Agreement With Kyrgyzstan**

##### *Memorandum for the United States Trade Representative*

Since August 21, 1992, the United States of America and Kyrgyzstan have had in effect a bilateral Agreement on Trade Relations, in relation to which, pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I reconfirm that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement and that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are, and continuously have been, satisfactorily reciprocated by Kyrgyzstan.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 27, 1996.*

Presidential Determination No. 96-46 of August 27, 1996

#### **Reconfirmation of Findings With Respect to the Trade Agreement With Ukraine**

##### *Memorandum for the United States Trade Representative*

Since June 23, 1992, the United States of America and Ukraine have had in effect a bilateral Agreement on Trade Relations, in relation to which, pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I reconfirm that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement and that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are, and continuously have been, satisfactorily reciprocated by Ukraine.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 27, 1996.*

#### Other Presidential Documents

Presidential Determination No. 96-47 of August 27, 1996

### Reconfirmation of Findings With Respect to the Trade Agreement With Armenia

#### *Memorandum for the United States Trade Representative*

Since April 7, 1992, the United States of America and Armenia have had in effect a bilateral Agreement on Trade Relations, in relation to which, pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I reconfirm that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement and that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are, and continuously have been, satisfactorily reciprocated by Armenia.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 27, 1996.*

Presidential Determination No. 96-48 of August 27, 1996

### Reconfirmation of Findings With Respect to the Trade Agreement With Moldova

#### *Memorandum for the United States Trade Representative*

Since July 2, 1992, the United States of American and Moldova have had in effect a bilateral Agreement on Trade Relations, in relation to which, pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I reconfirm that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement and that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are, and continuously have been, satisfactorily reciprocated by Moldova.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 27, 1996.*

### Title 3—The President

Presidential Determination No. 96-49 of August 27, 1996

#### Findings With Respect to the Trade Agreement With Georgia

##### *Memorandum for the United States Trade Representative*

Pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I have determined that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are satisfactorily reciprocated by Georgia. I have further found that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement on Trade Relations between the United States of America and Georgia.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 27, 1996.*

Memorandum of August 30, 1996

#### Determinations Under Section 203 of the Trade Act of 1974 and Section 304 of the North American Free Trade Agreement Implementation Act Concerning Broom Corn Brooms

##### *Memorandum for the United States Trade Representative, the Secretary of Agriculture, the Secretary of Commerce, [and] the Secretary of Labor*

On August 1, 1996, the United States International Trade Commission (USITC) submitted to me a report that included:

(a) a determination pursuant to section 202 of the Trade Act of 1974 ("the Trade Act") that imports of broom corn brooms are being imported into the United States in such increased quantities as to be a substantial cause of serious injury to the domestic industry producing an article like or directly competitive with the imported article;

(b) a finding pursuant to section 311(a) of the North American Free Trade Agreement (NAFTA) Implementation Act ("NAFTA Act") that imports of broom corn brooms produced in Mexico account for a substantial share of total imports of such brooms and contribute importantly to the serious injury caused by imports; but that imports of broom corn brooms produced in Canada do not account for a substantial share of total imports and thus do not contribute importantly to the serious injury caused by imports;

(c) a determination under section 302 of the NAFTA Act that, as a result of the reduction or elimination of a duty provided for under the NAFTA, broom corn brooms produced in Mexico are being imported into the United States in such increased quantities (in absolute terms) and under such conditions so that imports of the article, alone, constitute a substantial cause



### Other Presidential Documents

of serious injury to the domestic industry producing an article that is like, or directly competitive with, the imported article; and

(d) recommendations for action by the President in response to these determinations.

Pursuant to section 203(a) of the Trade Act, I have determined to take appropriate and feasible action within my power that will facilitate efforts by the domestic industry to make a positive adjustment to competition from imports of broom corn brooms. I have not implemented at this time any of the actions recommended by the USITC, because I believe it would be more appropriate first to seek a negotiated solution with appropriate foreign countries that would address the serious injury to our domestic broom corn broom industry, promote positive adjustment, and strike a balance among the various interests involved.

Therefore, after considering all relevant aspects of the investigation, including the factors set forth in section 203(a)(2) of the Trade Act, I hereby direct the Trade Representative to negotiate and conclude, within 90 days, agreements of a type described in section 203(a)(3)(E) of the Trade Act, and to carry out any agreements reached. Not later than the end of this 90-day period, I would implement action of a type described in section 203(a)(3). I hereby direct the Secretaries of Agriculture, Commerce, and Labor to develop and present to me, within 90 days, a program of measures designed to enable our domestic industry producing broom corn brooms to adjust to import competition.

I agree with the USITC's finding under section 311(a) of the NAFTA Act, and therefore determine, pursuant to section 312(a) of the Act, that imports of broom corn brooms from Mexico account for a substantial share of total imports of such brooms and contribute importantly to the serious injury caused by imports; but that imports of broom corn brooms from Canada do not account for a substantial share of total imports and thus do not contribute importantly to the serious injury caused by imports. Therefore, pursuant to section 312(b) of the NAFTA Act, agreements reached, and action of a type described in section 203(a)(3) of the Trade Act, would apply to imports of broom corn brooms from Mexico, but would not apply to imports of broom corn brooms from Canada. Also, in light of the USITC's findings, any agreements and action would not apply to imports of broom corn brooms from Israel.

As a result of the action I have taken under section 203 of the Trade Act, I have fully preserved my ability to implement tariff increases of a magnitude equal to or greater than the increases recommended by USITC commissioners under section 303 of the NAFTA Act. Section 203 of the Trade Act also authorizes a wider array of types of action than the tariff increases permitted under the NAFTA Act. Thus, through section 203 of the Trade Act, I maintain the full power to address the serious injury found by the USITC to have resulted from the reduction in tariffs under the NAFTA. For these reasons, I have determined that additional action under section 304 of the NAFTA Act is not necessary and would not provide greater benefits than costs.

### **Title 3—The President**

The United States Trade Representative is authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 30, 1996.*

Presidential Determination No. 96–50 of September 4, 1996

#### **POW/MIA Military Drawdown for Cambodia**

##### *Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 535 of the 1996 Foreign Operations Assistance Act (Public Law 104–107) (the “Act”), I hereby determine that it is necessary to draw down defense articles from the stocks of the Department of Defense for Cambodia for the purposes set forth in the Act of supporting efforts to locate and repatriate members of the United States Armed Forces and civilians employed directly or indirectly by the United States Government who remain unaccounted for from the Vietnam War.

Therefore, I hereby authorize and direct the drawdown of up to \$151,000 of such defense articles from the stocks of the Department of Defense for Cambodia, for the purposes and under the authorities of section 535 of the Act.

The Secretary of State is authorized and directed to report this determination to the Congress and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 4, 1996.*

Presidential Determination No. 96–51 of September 4, 1996

#### **Presidential Determination Under Subsections 402(a) and 409(a) of the Trade Act of 1974, as Amended—Emigration Policies of Mongolia**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by subsections 402(a) and 409(a) of the Trade Act of 1974 (19 U.S.C. 2432(a) and 2439(a)) (“the Act”), I determine that Mongolia is not in violation of paragraph (1), (2), or (3) of subsection 402(a) of the Act, or paragraph (1), (2), or (3) of subsection 409(a) of the Act.

### Other Presidential Documents

You are authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 4, 1996.*

Presidential Determination No. 96-52 of September 12, 1996

### Drawdown of Commodities and Services From the Departments of State, the Treasury, Defense and Justice for Presidential Security Support to the Government of Haiti

*Memorandum for the Secretary of State, the Secretary of the Treasury, the Secretary of Defense [and] the Attorney General*

Pursuant to the authority vested in me by section 552(c)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2348a(c)(2) (the "Act"), I hereby determine that:

(1) as a result of an unforeseen emergency, the provision of assistance under Chapter 6 of Part II of the Act in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States; and

(2) such unforeseen emergency requires the immediate provision of assistance under Chapter 6 of Part II of the Act.

I therefore direct the drawdown of commodities and services from the inventory and resources of the Departments of State, the Treasury, Defense and Justice of an aggregate value not to exceed \$3 million to provide augmentation and training for the Presidential security elements of the Government of Haiti.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 12, 1996.*

Notice of September 16, 1996

### Continuation of Emergency With Respect to UNITA

On September 26, 1993, by Executive Order 12865, I declared a national emergency to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of the National Union for the Total Independence of Angola ("UNITA"), prohibiting the sale or supply by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of arms and related material of

### **Title 3—The President**

all types, and petroleum and petroleum products to the territory of Angola, other than through designated points of entry. The order also prohibits the sale or supply of such commodities to UNITA. Because of our continuing international obligations and because of the prejudicial effect that discontinuation of the sanctions would have on the Angolan peace process, the national emergency declared on September 26, 1993, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond September 26, 1996. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to UNITA.

This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*September 16, 1996.*

Presidential Determination No. 96-53 of September 26, 1996

#### **Determination To Authorize the Furnishing of Emergency Military Assistance to Eritrea, Ethiopia, and Uganda Under Section 506(a)(1) of the Foreign Assistance Act**

##### *Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 506(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(1) ("the Act"), I hereby determine that:

(1) an unforeseen emergency exists that requires immediate military assistance to Eritrea, Ethiopia, and Uganda; and

(2) the emergency requirement cannot be met under the authority of the Arms Export Control Act or under any other law except section 506 of the Act.

Therefore, I hereby authorize the furnishing of up to \$10,000,000 in defense articles from the stocks of the Department of Defense, defense services of the Department of Defense and military education and training to assist the governments of Eritrea, Ethiopia, and Uganda.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 26, 1996.*

### Other Presidential Documents

Presidential Determination No. 96-54 of September 28, 1996

#### Presidential Determination on Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

*Memorandum for the Administrator of the Environmental Protection Agency [and] the Secretary of the Air Force*

I find that it is in the paramount interest of the United States to exempt the United States Air Force's operating location near Groom Lake, Nevada (the subject of litigation in *Kasza v. Browner* (D. Nev. CV-S-94-795-PMP) and *Frost v. Perry* (D. Nev. CV-S-94-714-PMP) from any applicable requirement for the disclosure to unauthorized persons of classified information concerning that operating location. Therefore, pursuant to 42 U.S.C. 6961(a), I hereby exempt the Air Force's operating location near Groom Lake, Nevada, from any Federal, State, interstate or local provision respecting control and abatement of solid waste or hazardous waste disposal that would require the disclosure of classified information concerning that operating location to any unauthorized person. This exemption shall be effective for the full one-year statutory period.

Nothing herein is intended to: (a) imply that in the absence of such a Presidential exemption, the Resource Conservation and Recovery Act (RCRA) or any other provision of law permits or requires disclosure of classified information to unauthorized persons; or (b) limit the applicability or enforcement of any requirement of law applicable to the Air Force's operating location near Groom Lake, Nevada, except those provisions, if any, that would require the disclosure of classified information.

The Secretary of the Air Force is authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 28, 1996.*

Presidential Determination No. 96-55 of September 30, 1996

#### Determination To Authorize the Furnishing of Non-Lethal Emergency Military Assistance to the States Participating in the Economic Community of West African States' Peacekeeping Force (ECOMOG) Under Section 506(a)(1) of the Foreign Assistance Act of 1961, as Amended

*Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 506(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(1) ("the Act"), I hereby determine that:

### **Title 3—The President**

(1) an unforeseen emergency exists which requires immediate military assistance to states currently participating in, and to states which may in the future participate in, ECOMOG; and

(2) the emergency requirement cannot be met under the authority of the Arms Export Control Act or any other law except section 506 of the Act.

I therefore direct the drawdown from the inventory and resources of the Department of Defense of an aggregate value not to exceed \$5 million in defense articles from the stocks of the Department of Defense, defense services of the Department of Defense and military education and training to provide assistance to the states currently participating (Nigeria, Ghana, Sierra Leone, Mali and Guinea), and for those states that may in the future participate, in ECOMOG to enhance ECOMOG's peacekeeping capabilities to bring about a peaceful solution to the crisis in Liberia.

The Secretary of State is authorized and directed to report this Determination to Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, September 30, 1996.*

Presidential Determination No. 96-56 of September 30, 1996

**Determination To Authorize the Drawdown of Commodities, Services, and Training From the Department of Defense for the Economic Community of West African States' Peacekeeping Force (ECOMOG) Under Section 552(c)(2) of the Foreign Assistance Act of 1961, as Amended**

*Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 552(c)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2348(c)(2) ("the Act"), I hereby determine that:

(1) as a result of an unforeseen emergency, the provision of assistance under Chapter 6 of Part II of the Act in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States; and

(2) such unforeseen emergency requires the immediate provision of assistance under Chapter 6 of Part II of the Act.

I therefore direct the drawdown from the inventory and resources of the Department of Defense of an aggregate value not to exceed \$10 million in commodities and services to provide assistance to states currently participating (Nigeria, Ghana, Sierra Leone, Guinea, and Mali), and for those states that may in the future participate, in ECOMOG to enhance ECOMOG's peacekeeping capabilities to bring about a peaceful solution to the crisis in Liberia.

### Other Presidential Documents

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 30, 1996.*

Presidential Determination No. 96-57 of September 30, 1996

### Drawdown of Articles, Services, and Military Education and Training From DOD To Provide Antinarcotics Assistance to Colombia, Venezuela, Peru, and the Countries of the Eastern Caribbean

#### *Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 506(a)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(2) ("the Act"), I hereby determine that it is in the national interest of the United States to draw down articles, services, and military education and training from the inventory and resources of the Department of Defense for the purpose of providing antinarcotics assistance to Colombia, Venezuela, Peru, and the countries of the Eastern Caribbean Regional Security System (RSS), which are: Antigua & Barbuda, Barbados, Dominica, Grenada, St. Kitts & Nevis, St. Lucia, and St. Vincent and the Grenadines.

Therefore, I direct the drawdown in FY 1996 authority of up to \$75 million of articles, services, and military education and training from the Department of Defense for such countries for the purposes and under the authorities of Chapter 8 of Part I of the Act.

The Secretary of State is authorized and directed to report this determination to the Congress immediately and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 30, 1996.*

Presidential Determination No. 96-58 of September 30, 1996

### Loan Guarantee to Israel Program

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 226(b) and section 614(a)(1) of the Foreign Assistance Act of 1961, as amended ("the Act"), 22 U.S.C. 2186(b) and 22 U.S.C. 2364(a)(1), respectively, I hereby determine that:

### **Title 3—The President**

(1) \$307 million of loan guarantee authority pursuant to section 226(a) and (b) of the Act for Fiscal Year 1997 is subject to the deduction requirements of section 226(d) of the Act; and

(2) it is important to the security interests of the United States that the aforementioned amount shall be reduced by \$247 million without regard to the deduction requirement of section 226(d) of the Act or any other provision of law within the scope of section 614 of the Act;

Therefore, I hereby authorize that such \$247 million in loan guarantee authority shall remain available pursuant to section 226(a) and (b) of the Act and that \$60 million in loan guarantee authority shall be deducted pursuant to section 226(d) of the Act.

You are hereby authorized and directed to transmit this determination to the Congress and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 30, 1996.*

Presidential Determination No. 96-59 of September 30, 1996

#### **Presidential Determination on FY 1997 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), Respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended**

##### *Memorandum for the Secretary of State*

In accordance with section 207 of the Immigration and Nationality Act ("the Act") (8 U.S.C. 1157), as amended, and after appropriate consultation with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 78,000 refugees to the United States during FY 1997 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be understood as including persons admitted to the United States during FY 1997 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided below.

The 78,000 funded admissions shall be allocated among refugees of special humanitarian concern to the United States as described in the documentation presented to the Congress during the consultations that preceded this determination and in accordance with the following regional allocations; provided, however, that the number allocated to the East Asia region shall include persons admitted to the United States during FY 1997 with Federal refugee resettlement assistance under section 584 of the Foreign Operations, Export Financing and Related Programs Appropriations Act of 1988,



### Other Presidential Documents

as contained in section 101(e) of Public Law 100-202 (Amerasian immigrants and their family members); provided further that the number allocated to the former Soviet Union shall include persons admitted who were nationals of the former Soviet Union, or in the case of persons having no nationality, who were habitual residents of the former Soviet Union, prior to September 2, 1991:

Africa .....	7,000
East Asia .....	10,000
Europe .....	48,000
Latin America/Caribbean .....	4,000
Near East/South Asia .....	4,000
Unallocated .....	5,000

The 5,000 unallocated federally funded numbers shall be allocated as needed. Unused admissions numbers allocated to a particular region within the 78,000 federally funded ceiling may be transferred to one or more other regions if there is an overriding need for greater numbers for the region or regions to which the numbers are being transferred. You are hereby authorized and directed to consult with the Judiciary Committees of the Congress prior to any such use of the unallocated numbers or re-allocation of numbers from one region to another.

Pursuant to section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(b)(2), I hereby determine that assistance to or on behalf of persons applying for admission to the United States as part of the overseas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

An additional 10,000 refugee admissions numbers shall be made available during FY 1997 for the adjustment to permanent resident status under section 209(b) of the Immigration and Nationality Act (8 U.S.C. 1159(b)) of aliens who have been granted asylum in the United States under section 208 of the Act (8 U.S.C. 1158), as this is justified by humanitarian concerns or is otherwise in the national interest.

In accordance with section 101(a)(42)(B) of the Act (8 U.S.C. 1101(a)(42)) and after appropriate consultation with the Congress, I also specify that, for FY 1997, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

- a. Persons in Vietnam
- b. Persons in Cuba
- c. Persons in the former Soviet Union

### **Title 3—The President**

You are authorized and directed to report this determination to the Congress immediately and to publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 30, 1996.*

Notice of October 16, 1996

#### **Continuation of Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia**

On October 21, 1995, by Executive Order 12978, I declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant foreign narcotics traffickers centered in Colombia, and the unparalleled violence, corruption, and harm that they cause in the United States and abroad. The order blocks all property and interests in property of foreign persons listed in an Annex to the order, as well as foreign persons determined to play a significant role in international narcotics trafficking centered in Colombia, to materially assist in, or provide financial or technological support for or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to the order, or to be owned or controlled by, or to act for or on behalf of, persons designated in or pursuant to the order. The order also prohibits any transaction or dealing by United States persons or within the United States in such property or interests in property. Because the activities of significant narcotics traffickers centered in Colombia continue to threaten the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad, the national emergency declared on October 21, 1995, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond October 21, 1996. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency for 1 year with respect to significant narcotics traffickers centered in Colombia.

This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*October 16, 1996*

Notice of October 29, 1996

#### **Continuation of Iran Emergency**

On November 14, 1979, by Executive Order 12170, the President declared a national emergency to deal with the threat to the national security, for-

### Other Presidential Documents

eign policy, and economy of the United States constituted by the situation in Iran. Notices of the continuation of this national emergency have been transmitted annually by the President to the Congress and the Federal Register. The most recent notice appeared in the Federal Register on November 2, 1995. Because our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway, the national emergency declared on November 14, 1979, must continue in effect beyond November 14, 1996. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iran. This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*October 29, 1996.*

Presidential Determination No. 97-1 of November 8, 1996

### Assistance Program for the New Independent States of the Former Soviet Union

#### *Memorandum for the Secretary of State*

Pursuant to subsection (o) under the heading "Assistance for the New Independent States of the Former Soviet Union" in Title II of the Foreign Operations, Export Financing and Related Programs Appropriations Act, for fiscal year 1996 (Public Law 104-107) and fiscal year 1997 (Public Law 104-208), I hereby determine that it is important to the national security interest of the United States to make available funds appropriated under that heading without regard to the restriction in that subsection.

You are authorized and directed to notify the Congress of this determination and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, November 8, 1996.*

#### Memorandum of Justification Regarding Determination Under Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act (Public Laws 104-107 and 104-208)

The Administration shares the deep concern of the Congress over Russian nuclear cooperation with Iran. Such cooperation, which could contribute over time to a nuclear-armed Iran, continues to be a threat not only to U.S. security interests, the Middle East Peace Process, and global stability, but also to Russian security interests as well. In dealing with this pressing issue, the Administration has repeatedly and strenuously objected to any form of nuclear cooperation with Iran. The President has raised the impor-

### **Title 3—The President**

tant issue repeatedly and directly with President Yeltsin, including during their April 1996 meeting in Moscow. The Vice President discussed our concerns with Prime Minister Chernomyrdin most recently during their July Meeting in Moscow. The Administration has also established a multi-level dialogue with the Russians and continues to give this issue the necessary high priority on the bilateral agenda. In addition, we have made clear to the Russians that we are not prepared to renew or expand the current U.S.-Russian Agreement on S&T Cooperation in the Field of Peaceful Uses of Atomic Energy because of Russia's ongoing nuclear cooperation with Iran. In addition, we informed the Russians in 1995 that a Section 123 agreement would not be possible while Russian nuclear cooperation with Iran continues.

Subsection (o) under the heading, "Assistance for the New Independent States of the Former Soviet Union," in Title II of the FY 1996 and FY 1997 Foreign Operations Appropriations Acts contain a restriction on assistance to Russia unless there is a Presidential determination that the Government of Russia has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor or related nuclear research facilities or programs. Given present circumstances, the President is unable to make this determination. In order to further the national security interest of the United States, the President is exercising the authority provided by the Congress in subsection (o) to make funds available to Russia under these Acts without regard to this restriction.

The President takes this action because it remains important to the national security interest of the United States to continue support for the reform process in Russia. Assisting Russia and the other New Independent States in their transitions to democratic systems of government and market economies continues to be one of the Administration's highest foreign policy goals. As we noted in our previous determination, the outcome of this historic reform effort will have a critical impact on the future of regional and international peace and stability as well as the national security interests of the United States. Much has already been accomplished along the uncharted road to reform in Russia, including Russia's unprecedented 1996 Presidential elections. The transformation of Russia into a more democratic, market-oriented society, however, is a long-term proposition, and the outcome is far from certain. The United States and the world community must remain steadfast in support of the people of Russia and the other New Independent States (NIS) during this important period of transition.

Our assistance and other cooperative programs continue to play a vital role promoting basic U.S. interests by furthering the reform process in Russia and bolstering fledgling democratic, market-oriented processes and institutions. With the Russian presidential elections complete, Russia must now accelerate major structural reforms, such as building the legal and institutional structures to support a market economy. To cut off assistance and thereby sharply cut back the influence Americans are having on Russian reform at this important juncture in Russia's history would be counterproductive. Most significantly, a withdrawal of assistance would undercut those in Russia who seek to build relations of a new kind with the United States, who support democratic and market economic principles, and who are helping to integrate Russia into global economic and security systems.

### Other Presidential Documents

We must continue to support two worthy foreign policy goals: supporting the reform process in Russia and ending Russian nuclear cooperation with Iran. Carefully designed and implemented assistance programs will help us to achieve the former, which in turn will help lessen the incentive for Russia to cooperate with Iran on nuclear programs. Active engagement with Russia at the highest levels will also help us accomplish this latter objective. We will continue to work with the Congress to achieve our mutual goals in this regard.

The President has made this determination because it is essential to enable us to continue to pursue with Russia our policy of pragmatic engagement, in which we seek to support U.S. national security and other interests by helping to integrate Russia into global economic and security systems as a cooperative, peaceful, and prosperous member of the world community.

Presidential Determination No. 97-2 of November 11, 1996

#### Determination Under Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended: People's Republic of China

##### *Memorandum for the Secretary of State*

Pursuant to section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as amended, I determine that it is in the national interest for the Export-Import Bank of the United States to extend a loan in the amount of approximately \$383 million in connection with the purchase of the nonnuclear balance of plant equipment and services for the Qinshan III nuclear power plant in Zhejiang Province, the People's Republic of China.

You are authorized and directed to report this determination to the Congress and publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, November 11, 1996.*

Presidential Determination No. 97-3 of November 11, 1996

#### Determination Under Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended: People's Republic of China

##### *Memorandum for the Secretary of State*

Pursuant to section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as amended, I determine that it is in the national interest for the Export-Import Bank of the United States to extend a loan in the amount of approximately \$409 million in connection with the purchase of U.S. equipment and services for the Yangcheng coal-fired power plant in Shanxi Province, the People's Republic of China.

### **Title 3—The President**

You are authorized and directed to report this determination to the Congress and publish it in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, November 11, 1996.*

Notice of November 12, 1996

#### **Continuation of Emergency Regarding Weapons of Mass Destruction**

On November 14, 1994, by Executive Order 12938, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons (“weapons of mass destruction”) and the means of delivering such weapons. Because the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on November 14, 1994, and extended on November 14, 1995, must continue in effect beyond November 14, 1996. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order 12938.

This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*November 12, 1996.*

Presidential Determination No. 97-4 of November 12, 1996

#### **Designation of Jordan as a Major Non-NATO Ally**

##### *Memorandum for the Secretary of State*

I hereby designate the Hashemite Kingdom of Jordan a major non-NATO ally of the United States pursuant to section 517 of the Foreign Assistance Act of 1961, as amended, for the purposes of the Foreign Assistance Act of 1961, as amended, and the Arms Export Control Act.

You are authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, November 12, 1996.*

## Other Presidential Documents

Memorandum of November 20, 1996

### Delegation of Authority Under Section 581(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997

#### *Memorandum for the Secretary of State*

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate the functions and authorities conferred upon the President by section 581(b) of the Foreign Operations, Export Financing, and Related Appropriations Act, 1997 (Public Law 104-208) to the Secretary of State, who is authorized to redelegate these functions and authorities consistent with applicable law.

Any reference in this memorandum to the provision of any Act shall be deemed to include references to any hereafter-enacted provision of law that is the same or substantially the same as such provision.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, November 20, 1996.*

Presidential Determination No. 97-5 of November 20, 1996

### Findings With Respect to the Trade Agreement With Turkmenistan

#### *Memorandum for the United States Trade Representative*

Pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I have determined that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are satisfactorily reciprocated by Turkmenistan. I have further found that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement on Trade Relations between the United States of America and Turkmenistan.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, November 20, 1996.*

### Title 3—The President

Memorandum of November 21, 1996

#### Delegation of Responsibilities Under the Iran and Libya Sanctions Act of 1996

*Memorandum for the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, [and] the United States Trade Representative*

By the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of State the functions vested in the President by the following provisions of the Iran and Libya Sanctions Act of 1996 (Public Law 104–172) (“the Act”), such functions to be exercised in consultation with the Departments of the Treasury and Commerce and the United States Trade Representative, and with the Export-Import Bank and Federal Reserve Board and other interested agencies as appropriate: sections 4(c), 5(a), 5(b), 5(c), 5(f), 6(1), 6(2), and 9(c). I hereby delegate to the Secretary of State the functions vested in the President by the following provisions of the Act: sections 4(a), 4(b), 4(d), 4(e), 5(d), 5(e), 9(a), 9(b), and 10.

Any reference in this memorandum to provisions of any Act related to the subject of this memorandum shall be deemed to include references to any hereafter-enacted provision of law that is the same or substantially the same as such provisions.

The following functions vested in the President by the following provisions of the Act delegated by this memorandum may be redelegated: 4(a), 4(b), 4(d), 4(e), 5(d), 5(e), and 10. All other functions delegated by this memorandum may not be redelegated.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, November 21, 1996.*

Presidential Determination No. 97–6 of November 26, 1996

#### Findings With Respect to the Trade Agreement With Uzbekistan

*Memorandum for the United States Trade Representative*

Pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I have determined that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are satisfactorily reciprocated by Uzbekistan. I have further found that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement on Trade Relations between the United States of America and the Republic of Uzbekistan.



### Other Presidential Documents

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, November 26, 1996.*

Presidential Determination No. 97-7 of November 26, 1996

### Findings With Respect to the Trade Agreement With Tajikistan

#### *Memorandum for the United States Trade Representative*

Pursuant to my authority under subsection 405(b)(1) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)), I have determined that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are satisfactorily reciprocated by Tajikistan. I have further found that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement on Trade Relations between the United States of America and the Republic of Tajikistan.

You are authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, November 26, 1996.*

Presidential Determination No. 97-8 of November 27, 1996

### Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

#### *Memorandum for the Secretary of State*

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$15 million be made available from the United States Emergency Refugee and Migration Assistance Fund to meet the urgent and unexpected needs of refugees and migrants. These funds may be used to meet the urgent and unexpected needs of refugees, victims of conflict, and other persons at risk in and from northern Iraq. These funds may be used on a multilateral or bilateral basis as appropriate to provide contributions to international organizations, private voluntary organizations, governments, and other governmental and nongovernmental agencies. These funds may be used as reimbursement for expenses already incurred by the Department of State for these purposes and to pay related Department of State administrative expenses.

### **Title 3—The President**

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority and to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, November 27, 1996.*

#### **Justification for Presidential Determination Authorizing the Use of up to \$15,000,000 From the United States Emergency Refugee and Migration Assistance Fund**

Under section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c) (1), the President may authorize the furnishing of assistance from the United States Emergency Refugee and Migration Assistance Fund (the Fund) to meet “unexpected urgent refugee and migration” needs whenever he determines it is “important to the national interest” to do so. The President may furnish assistance and make contributions under this act notwithstanding any provisions of law which restrict assistance to foreign countries.

Between September 14 and September 18 the U.S. facilitated the evacuation of approximately 2,100 Kurdish employees of the U.S. Government and their dependents (Quick Transit I) who were considered to be at risk due to their close association with the U.S. Government. A second group has been evacuated. Due to the recent expansion of the Iraqi Government security presence in Northern Iraq, there are other persons who may need to be evacuated.

A drawdown from the Fund of up to \$15,000,000 is required to respond to these unexpected urgent refugee and migration needs related to the crisis in Northern Iraq. These funds may be used as reimbursement for expenses already incurred by the Department of State for these purposes and to pay related Department of State administrative expenses. These funds also may be used to provide contributions to international organizations, private voluntary organizations, governments, and other governmental and non-governmental agencies. The need for these funds is urgent and was not foreseen in the appropriation and programming of the FY 1997 Migration and Refugee Assistance funds.

This drawdown furthers the U.S. national interest by providing humanitarian support where it is urgently needed.

## Other Presidential Documents

Memorandum of November 28, 1996

### Action Under Section 203 of the Trade Act of 1974 Concerning Broom Corn Brooms

*Memorandum for the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Agriculture, the Secretary of Labor, [and] the United States Trade Representative*

On August 1, 1996, the United States International Trade Commission (USITC) submitted to me a report that contained: (1) a determination pursuant to section 202 of the Trade Act of 1974 ("the Trade Act") that imports of broom corn brooms are being imported into the United States in such increased quantities as to be a substantial cause of serious injury to the domestic industry; and (2) a finding pursuant to section 311(a) of the North American Free-Trade Agreement (NAFTA) Implementation Act ("NAFTA Act") and that imports of broom corn brooms produced in Mexico account for a substantial share of total imports of such brooms and contribute importantly to the serious injury caused by imports.

On August 30, 1996, I determined to take appropriate and feasible action that will facilitate efforts by the domestic industry to make a positive adjustment to competition from imports of broom corn brooms. I did not implement at that time any of the actions recommended by the USITC, because I determined that it would be more appropriate first to seek a negotiated solution with appropriate foreign countries that would address the serious injury to our domestic broom corn broom industry, promote positive adjustment, and strike a balance among the various interests involved.

I therefore directed the Trade Representative to negotiate and conclude, within 90 days, agreements of a type described in section 203(a)(3)(E) of the Trade Act, and to carry out any agreements reached. I also directed the Secretaries of Agriculture, Commerce, and Labor to develop and present, within 90 days, a program of measures designed to enable our domestic industry producing broom corn brooms to adjust to import competition.

The Trade Representative has informed me that her negotiations did not result in agreements meeting the goals that I had previously set. Therefore, after considering all relevant aspects of the investigation, including the factors set forth in section 203(a)(2) of the Trade Act, and the results of the activities undertaken over the previous 90 days, I have implemented actions of a type described in section 203(a)(3). I have determined that these actions will facilitate efforts by the domestic industry to make a positive adjustment to import competition and provide greater economic and social benefits than costs.

Specifically, I have proclaimed tariff relief for a period of three years that will provide time for the domestic industry to implement an adjustment plan that will facilitate its positive adjustment to import competition. This action meets the needs of the domestic industry, while striking a balance with the other interests of the United States by providing the minimum tariff relief necessary to promote such adjustment. No tariff relief is being provided on four of the six tariff subheadings subject to the injury determination. In addition, for the largest tariff subheading, duty-free treatment will be provided on a substantial annual quantity of broom corn broom imports from all import sources. In short, this action provides the domestic indus-

### **Title 3—The President**

try with substantial temporary relief from increased import competition, while also assuring our trading partners significant continued duty-free access to the United States market.

I also note the substantial resources identified by the Departments of Agriculture and Commerce that can provide loans, grants, technical and in-kind assistance to the domestic industry as it implements its adjustment plan. Taken together, these programs have the potential to match the financial contribution that the domestic industry will make as it implements its adjustment plan. I urge the domestic industry to submit the necessary applications for consideration under the individual programs, and direct the Secretaries of Agriculture and Commerce to provide the appropriate assistance to the industry in completing the application process. I also direct the Departments of Agriculture and Commerce to give priority consideration to adjustment assistance requests, with the intent of providing the maximum appropriate assistance available.

The Trade Adjustment Assistance (TAA) program of the Department of Labor has already provided support for employees of broom corn broom manufacturers that have been laid off due to import competition. This assistance remains available, and I instruct the Secretary of Labor to give priority consideration to processing such TAA requests.

An additional issue considered during the course of the last 90 days was the possible circumvention of U.S. customs laws. As a result of information provided by the broom corn broom industry and other information collected by the U.S. Customs Service, an investigation is underway to determine whether any imports of broom corn brooms are entering the commerce of the United States in a manner inconsistent with U.S. law. I instruct the Secretary of the Treasury to pursue this matter with the intent of concluding this investigation within 90 days, and taking any other steps necessary to ensure broom corn broom imports do not circumvent U.S. law.

I also note that, pursuant to Section 204 of the Trade Act, the International Trade Commission will monitor developments with respect to the domestic industry, including progress and specific efforts made by workers and firms in the domestic industry to make a positive adjustment to import competition.

The United States Trade Representative is authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, November 28, 1996.*

### Other Presidential Documents

Presidential Determination No. 97-9 of December 2, 1996

#### Drawdown of Articles, Services, and Military Education and Training From DOD To Provide Anti-Narcotics Assistance to Mexico

##### *Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 506(a)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(2) ("the Act"), I hereby determine that it is in the national interest of the United States to draw down articles, services, and military education and training from the inventory and resources of the Department of Defense for the purpose of providing anti-narcotics assistance to Mexico.

Therefore, I direct the drawdown of up to \$37 million of such articles, services, and military education and training from the Department of Defense for the Government of Mexico for the purposes and under the authorities of Chapter 8 of Part I of the Act.

The Secretary of State is authorized and directed to report this determination to the Congress immediately and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, December 2, 1996.*

Presidential Determination No. 97-10 of December 3, 1996

#### Continued Vietnamese Cooperation in Accounting for United States Prisoners of War and Missing in Action (POW/MIA)

##### *Memorandum for the Secretary of State*

Consistent with section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1997, as contained in the Omnibus Consolidated Appropriations Act, 1997, Public Law 104-208, I hereby determine, based on all relevant information available to the United States Government, that the Government of the Socialist Republic of Vietnam continues to cooperate in full faith with the United States in four areas of accounting for American POW/MIA's:

1. Resolving discrepancy cases, live sightings and field activities;
2. Recovering and repatriating American remains;
3. Accelerating efforts to provide documents that will help lead to the fullest possible accounting of POW/MIA's; and
4. Providing further assistance in implementing trilateral investigations with Laos.

I have been advised by the Department of Justice and believe that section 609 is unconstitutional because it purports to condition the execution of

### **Title 3—The President**

responsibilities—the authority to recognize, and to maintain diplomatic relations with, a foreign government—that the Constitution commits exclusively to the President. I am, therefore, providing this determination as a matter of comity while preserving my position that the condition enacted in section 609 is unconstitutional.

In making this determination, I wish to reaffirm my continuing personal commitment to the entire POW/MIA community, especially to the immediate families, relatives, friends, and supporters of these brave individuals, and to reconfirm that the central, guiding principle of my Vietnam policy is to achieve the fullest possible accounting for our prisoners of war and missing in action.

You are authorized and directed to report this determination to the appropriate committees of the Congress and to publish it in the Federal Register

WILLIAM J. CLINTON .

THE WHITE HOUSE,

*Washington, December 3, 1996.*

Presidential Determination No. 97–11A of December 6, 1996

#### **Determination Pursuant to Section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (as Enacted in Public Law 104–208)**

##### *Memorandum for the Secretary of State*

Pursuant to section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (as enacted in Public Law 104–208), I hereby certify that withholding from international financial institutions and other international organizations and programs funds appropriated or otherwise made available pursuant to that Act is contrary to the national interest.

You are authorized and directed to publish this determination in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, December 6, 1996.*

## Other Presidential Documents

Presidential Determination No. 97-12 of December 11, 1996

### Drawdown of Commodities and Services From the Inventory and Resources of the Department of Defense To Support a Peace Monitoring Force in Northern Iraq

*Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by sections 552(c)(2) and 614(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2348a(c)(2) and 2364(a)(1) (the "Act"), I hereby determine that:

(1) as a result of an unforeseen emergency, the provision of assistance under Chapter 6 of Part II of the Act in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States;

(2) an unforeseen emergency requires the immediate provision of assistance under Chapter 6 Part II of the Act; and

(3) it is important to the security interests of the United States to furnish up to \$4 million of commodities and services from the inventory of the Department of Defense to support a Peace Monitoring Force in northern Iraq, without regard to any provision of law within the scope of section 614(a)(1) of the Act, including various restrictions on providing assistance to Iraq. I therefore direct the drawdown of commodities and services from the inventory and resources of the Department of Defense of an aggregate value not to exceed \$4 million to support a Peace Monitoring Force in northern Iraq.

The Secretary of State is authorized and directed to report this determination to the Congress and arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, December 11, 1996.*

Presidential Determination No. 97-13 of December 27, 1996

### Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

*Memorandum for the Secretary of State*

Pursuant to sections 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$38,000,000 be made available from the United States Emergency Refugee and Migration Assistance Fund to meet the urgent and unexpected needs of refugees and migrants.

These funds may be used to meet the urgent and unexpected needs of refugees, victims of conflict, and other persons at risk in the Great Lakes region of Africa. These funds may be used on a multilateral or bilateral basis as appropriate to provide contributions to international organizations, private

### **Title 3—The President**

voluntary organizations, governments, and other governmental and non-governmental agencies, as appropriate.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority and to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, December 27, 1996.*

Presidential Determination No. 97-14 of December 27, 1996

#### **Drawdown From DoD Articles and Services for Assistance for the Victims of Conflict and Other Persons at Risk From Northern Iraq**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 506(a)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(2) (the “Act”), I hereby determine that it is in the national interest of the United States to draw down articles and services from the inventory and resources of the Department of Defense for the purpose of providing assistance to the victims of conflict and other persons at risk for Northern Iraq.

Therefore, I hereby direct the drawdown of up to \$10,000,000 of such articles and services from the inventory and resources of the Department of Defense, for the purposes and under the authorities of the Migration and Refugee Assistance Act of 1962, as amended, section 2(c).

The Secretary of State is authorized and directed to report this determination to the Congress, and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, December 27, 1996.*

Presidential Determination No. 97-15 of December 27, 1996

#### **Assistance Program for the New Independent States of the Former Soviet Union**

##### *Memorandum for the Secretary of State*

Pursuant to subsection (d) under the heading “Assistance for the New Independent States of the Former Soviet Union” in Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (as enacted in Public Law 104-208), I hereby determine that it is in the national security interest of the United States to make available funds appro-



**Other Presidential Documents**

priated under that heading without regard to the restriction in that subsection.

You are authorized and directed to notify the Congress of this determination and to arrange for its publication in the Federal Register.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, December 27, 1996.*



---

Appendix A—List of Messages to Congress Transmitting Budget  
Rescissions and Deferrals

---

<i>Date of Message</i>	<i>60 FR Page</i>
February 21, 1996 .....	8691
February 23, 1996 .....	10812
March 5, 1996 .....	10822
March 13, 1996 .....	13350
April 12, 1996 .....	17915
May 14, 1996 .....	26226
June 24, 1996 .....	34909
December 4, 1996 .....	66172

---



## CHAPTER I—EXECUTIVE OFFICE OF THE PRESIDENT

---

Part		<i>Page</i>
100	Standards of conduct .....	332
101	Public information provisions of the Administrative Procedures Act .....	343
102	Enforcement of nondiscrimination on the basis of handicap in programs or activities conducted by the Executive Office of the President .....	344